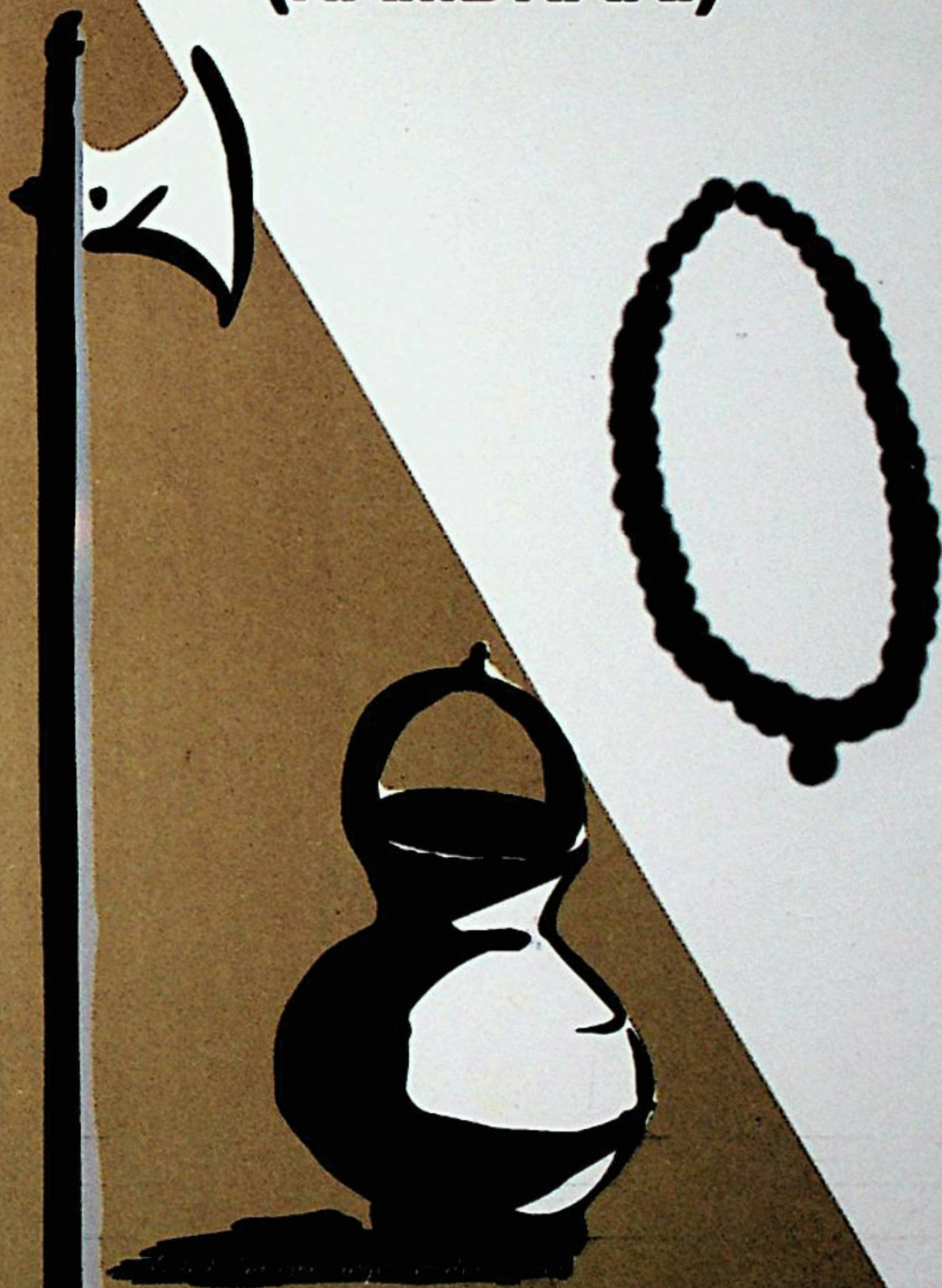


UNTOLD ANECDOTES OF KUKA MOVEMENT (NAMDHARI)



**NIRMAL SINGH MAHI
(MUKANDPURI)**



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**UNTOLD ANECDOTES OF
KUKA MOVEMENT
(NAMDHARI)**

**NIRMAL SINGH MAHI
(MUKANDPURI)**

**5 AAB PUBLICATION
JALANDHAR CITY**

UNTOLD ANCEDOTS OF
KUKA MOVEMENT
(NAMDHARI)

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This publication is dedicated to Sant Kharak Singh Ji Bhamra who dedicated his life to spread the mission of the Twelve Sikh Gurus.

Migrated to East Africa -Kenya in 1950 not only to earn and raise a family but also a positive input to the welfare of the Namdhari and Ramgharia community, his numerous social activities enhanced the well being of the Asian community in East Africa.

In 1962 Sant Kharak Singh Bhamra left East Africa for U.K. and followed up his passion to serve the public life and pioneered the establishment of the first Ramgharia Board in U.K

In 1963 he was the founder in forming the Namdhari Sangat U.K. which in 1967 hosted the first visit of His Holiness Sri Satguru Jagjit Singh Ji Maharaj, the present supreme spiritual leader of the Sikhs from Sri Bhani Sahib to the United Kingdom.

In 1972 Sant Kharak Singh Bhamra in capacity as President of Satguru Ram Singh Pardes Gawan Shatabhi Samiti (U.K.). hosted the 1st Pardes Gawan Shatabdhi Centenary of Sri Satguru Ram Singh Ji in London U.K. . The centenary celebrations were well attended by Members of Parliament from London, senators from U.S.A. and distinguished personalities from Thailand, East Africa and rest of the world to celebrate the achievements and principles laid down by Sri Satguru Ram Singh Ji

Late Sant Kharak Singh Ji Bhamra

Pure Divine look was his supreme religion and humbly and heart was his prime wealth. Spiritual glow on his face was a mere reflection of the eternal glory.

This publication is dedicated to Sant Kharak Singh Ji Bhamra who dedicated his life to spread the mission of the Twelve Sikh Gurus.

Writer's Books:

- * Henoe's and Villains of the Sikh Rule
- * Guru Nanak's Ramayan
- * Theaching's of Guru Ravidass

I am giving here a brief history of our family relating with the Kuka (Namdhari) movement.

Jamadar Basant Singh Kuka was elder brother of my grandfather Sher Singh, Basant Singh was born in 1820. He served in Maharaja Ranjit Singh's army. Satgur Ram Singh and Basant Singh quitted army at the same time. While Baba Ram Singh served in Naurihal Singh's Regiment, Basant Singh was employed in Sher Singh's Regiment.

Jamadar Basant Singh passed away in 1947 at the age of 127. In his lifetime he used to relate the anecdotes of Maharaja Ranjit Singh as well as those of Satgur Ram Singh.

Basant Singh was baptised by Satgur Ram Singh himself. This happened in village Matadde. He took to preaching in the entourage of Satgur Ram Singh. Later he was instructed to stay in village where he would fondly narrate the wondrously fascinating tales of Satgur Ram Singh.

In village Muchhinde one mischievous person put cloth covers over empty pails and told Satgur Ram Singh that he could make use of water in them for bath. Omniscient Satgur saw through the intended sacrilegious joke. He walked to the pails, uncovered them, uttered Sat-Nam and lo!- Jugfuls of water streamed on his body to the utter discomfiture of the fool who had hoped to befool the Spectator of total time and space.

Jamadar Basant Singh had a photograph of Baba Ram Singh who had been requested to pose for it before the camera-man. This was at Ludhiana. Basant Singh had placed it in his room. We used to bow to it every day. The aforesaid photograph showed Basant Singh and Satgur Ram Singh together. Our double storeyed house was built with small bricks. The building

collapsed during heavy rains in 1947. We suffered an irreparable loss. Our rare photograph vanished.

Holy chants comprised a daily feature in our house.

Jamadar Basant Singh elicited immense respect from the Namdhari Sangat.

We had in our house high huge stacks of manuscript compilations. However, my elder uncle's wife used them for making pots for storing edibles.

Which alone remain the identity of our heritage. In that way we lost several mementos relating to Satgur Ram Singh. My tender age deprived me of sense of valuation of documentary wealth while my aforesaid aunt was totally stranger in the world of letters.

Basant Singh was ever knee-deep in meditation.

One day it so happened that while I was infant I oscillated in the arms of Basant Singh. I noticed on the bedstead a five feet long snake. I trembled and wept bitterly. My half-suppressed voice had little effect on the ears of Basant Singh who was hard of hearing. I pointed my finger towards the snake. Basant Singh slightly raised his head and smilingly exclaimed : "O I see! It is insect! Baba Ram Singh will himself take him away!" In the next instant the snake moved down and slunk away.

Unruffled and calm, Basant Singh observed : "Your sticks will reach not the retreat of the insect." Neighbours gathered in the compound of the house and mused and wondered.

In our house one or the other ever chooses the path of meditation.

In the days of Guru Gobind Singh, the grandfather of my

grandfather, Budh Singh, got himself enlisted in the Sikh army and quaffed the cup of martyrdom on the battlefield. At present the third lineal descendant of jamadar Basant Singh, Sukhdev Singh Mhay, is devoutly inclined to spiritualism.

Hereunder I display our genealogical tree :

Budh Singh

Dasondha Singh

Jamadar Basant Singh

(B. 1820) (D. 1947)

Sher Singh

(D1938)

Gopal Singh (D)

Tota Singh

{ Lachhman Singh Baja (1963)}

Thakar Singh (D)

Shiam Singh (D)

Sohan Singh (D)

Nirmal Singh Mhay (Mahi Mukani puri) 38.2.37

Let me mention that my father Lachhman Singh Bajaj and Thakkar Singh : had strong spiritual susceptibilities.

I myself passed my days at the feet of godmen. Our neighbour Giani Mihar Singh ever joined his fortune with the beads of rosary.

My birth was a fulfilment of the boon bestowed on our family by the spiritually exalted Raja Bhagwan Das of Nabh-Kanwal.

I have a mind to reduce to writing the reminiscences of the enchanted tales which flowed down to me from Basant Singh and highlighted the amusing earthly journey of Baba Ram Singh.

Over a quite long period we have unearthed substantial

manuscript record relating to the Namdhari Movement.

Every big achievement has at its back a divine casual nexus. In 1988 it so happened that the grand scholar-cum-researcher Ajit Singh Baagha travelled from India to United Kingdom. In the Foreword to his work BANUR HAD ORDERS Dr. Devan Singh asserted that 'In Baagha, it appeared, the marvellous historical spirit of the famous Karam Singh Historian had come back to finish some of the important work left incomplete by his premature demise.'

With Baagha's arrival here, the research project earlier initiated by me gathered speed.

Our joint endeavours have brought fruit. We have unearthed following documentation :

1. Secret Report on Kuka movement spreading over 150 pages.
2. Trial of Guru Ram Singh spreading over 500 pages.
3. Census statistics of Kukas dating back to 1885 spreading over 500 pages.

The foregoing wealth of information is a long stride towards presenting to the world at large THE UNTOLD STORY OF KUKAS. The day is not far when the world universities will bustle amid the joy of our great historical findings.

Our findings relate that amid festive celebration one person put a question : "O esteemed Satguruji, to whom relates the prophecy ਆਵਨਿ ਅਠਤਰੈ ਜਾਨਿ ਸਤਾਨਵੈ ?" Baba Ram Singh observed : Guru Nanak wrote this line for myself." He further said : " I was born in Sammat 1878 and in 1897 I journeyed to Hajro." He again asserted : "This prediction refers to none but

myself and rightly so."

At the time of Diwali in 1868 Satguru Ram Singh was at Amritsar. He camped outside the city near a well. The occasion attracted a huge congregation. The cash offering amounted to 750 rupees. One wealthy person presented twelve rolls of cloth of fine quality. Satguru purchased blankets for the poor people worth 350 rupees.

The Foregoing examples typify a colossal reserve.

Financial paucity delays the consummation of the project.

If one of your devotees volunteers to help us, we shall be grateful. Money will be returned. At the moment our cart is stuck in mud, Repayable fund can solve our problem. Your orders/ instructions will be carried out.

Please accept our salutations at your holy feet.

With regards,

(Nirmal Singh Mhay Mahi Mukandpuri)

P.S. We enclose list of our forthcoming publications. Our work Unseen Faces and Untold Cases of Heroes and Villains of Sikh Rule has already been published by Bahri Publications. Guru Nank's Ramayan published by Minerva Press freedom.

DISCOVERY OF ROMANCE UNCANNY AND WEIRD

We relish not crumbs earlier chewed!
We won't dwell on shows earlier viewed!
We won't warble ditty sung before!
We can't reiterate printed lore!
Beaten tracks we shall not tread!
Tales fresh and novel we spread!
We won't hearken tales earlier told!
We seek and circulate shining gold!
We won't inhale breath stale!
Waft new bringeth our mail!
We offer manna dew sipped by few!
We happen to have nectar drops new!
Symphony unheard of we sing!
Information vital we bring!
Pasture unheard of we sing!
Never printed anecdotes we provide you!
From dales distant lost lays we create!
Big treasure we stock on every date!
We hoard tales weird, uncanny, enchanted!
Procure from us what Kuku people wanted!
We collect weird tales because non-weird tales amuse not our minds.

The record relating to Kuka Movement lately unearthed by us, inter alia, reveals the following information:

1. In government correspondence dated 19th January 1867, Kuka leader Baba Ram Singh's age is stated as about fifty years. Accordingly, his statement of Baba Ram Singh preserved in government record, he claimed that he was born in Sammat 1878 corresponding to 1821 A.D. and that in 1841 he was initiated by his preceptor Baba Balak Singh who was headquartered at Hazro. He claimed that Guru Nanak had prophesied his birth and the year of his journey to Hazro in the

following line preserved in Guru Granth Sahib:

Awan athtraj Jan stanwai hor bhi uthsi mard ke chela!

He will come in (Sammat 18) 78 and will go in (Sammat 18) 97 (to Hazro to be initiated by Baba Balak Singh). New (hero Ram Singh) will arise as follower of the man of parts (named Balak Singh)

2. In Guru Granth Sahib are preserved the following two lines composed by the Holy fifth Sikh Guru Arjan Dev Sahib:

Puranpurkh, Achut, Abinashi, jas ved Puranin gaia!

Apna bird rakhia Parmeshar, Nanak, Nam dhiaia!

Veds and Purans sang praise of God immortal. In him inhereth Total Continuous Power!

O Nanak! God Great kept his Holy fame high. In his Grace, I hummed his name (in bony and fleshy tower)!

Baba Ram Singh's Subas preached him up not as mere man, but the very incarnation of God and a coequal with Guru Nanak and Guru Gobind Singh. While they kept the first of the foregoing two lines intact, the second one was modified by them as under:

~~Apna bird rakhia Parmeshar, Ram Singh Nam rakhaia!~~

O Nanak! God great kept his Holy Fame High. In his Grace, he assumed Ram Singh as his name!

In the light of the foregoing evidence, Historiographer Ganda Singh's repeated assertion in his lifetime that Baba Ram Singh neither wished to be called nor was called Guru is falsified.

3. According to a recorded statement dated 31st May 1863 of Captain Menzies, District Superintendant of Police, Amritsar, the head of the Kudu sect at Amritsar, named Lal Singh gave

out that after death Guru Gobind Singh was reborn first as Maharaj Singh and then as Ram Singh.

4. A statement of Lieutenant Hamilton, Deputy Superintendent of Police, Ferozpur, dated 6th June 1863 described Baba Ram Singh as a spare man, five feet and ten inches tall and of fairish complexion pitted with smallpox. He had hazel eyes, long nose and face and grizzled beard and moustaches.

5. Fazi Hussain, Inspector of Police, District Hoshiarpur, observes in his report dated 20th March 1867 that on 19th March 1867 (Baba) Ram Singh arrived at Anandpur (Sahib) Hola Fair. He was accompanied by a Kuku retinue 8,000 strong. Next day he entered Takht Keshgarh (Sahib) where he offered a sum of twenty-five rupees. The Pujari did not make prayer for him. (Baba) Ram Singh felt offended. He wrote a letter to the concerned Pujari asking him whether he did not consider him a Sikh of Guru. He got the following verbal response:

a . Thou settest thyself as god.

b. Thou administrest not Amrit while making one a convert.

c. When a Sikh is baptized, he is asked to say; "My birth place is Patna and my abode is Anandpur Sahib)." When thou baptisest, thou askest the neophyte to say; "My birth place is Hazro and my abode is Guru Bhaini."

d. Whereas Sikhs entering a place of worship do not untie their hair or remove their turbans, Kukas do so.

e. In exciting themselves to such a degree as to be at times insensible, Kukas act like Muhammedan fakirs and cannot be the Sikhs of Guru.

6. Government's Secret report dating back to 1872 reveals that the leader of the Kuka sect is known by the appellation of Sachcha Padshah or True King. The same report records that

in the Panjab the Kukas number between three and four hundred thousand.

The foregoing glimpses from the record relating to Kukas unearthed by us illustrate in themselves the valued rarity of our find.

In this volume we have told some Untold Anecdotes of Kuka Movement. More Untold Anecdotes of Kuka Movement will spread over the forthcoming volumes.

-Editors

SECRET REPORT ON BABA RAM SINGH KUKA'S ACTIVITY

1872 A.D.

The most astonishing reports and rumours (relating to Kukas and Wahabis) are current at present.

The Government is however, so strong that such reports are powerless to injure it.

Nevertheless, such rumours which savour of treason must originate somewhere and must have some basis on which they are founded. The true source from which they originate must be sought in the Sikh Kuka sect of the Hindus and the Wahabis among the Muhammedans.

The freedom granted by the Government in 1867 to the Kukas to exercise their faith has stimulated the progress of their sect and they have made numerous proselytes in the police and regular army.

The invitation into the sect is fascinating.

The Kukas are commanded by their religion to carry on their persons a knife and an axe.

The leader of the sect employs Subas (Governors), Chaukidars etc. for the propagation of his tenets and is known by the appellation of Sachcha Padshah or the true king.

At first sight the doctrines of the sect appear to teach the unity of God and to enjoin universal peace. But under the disguise of religion a Community is being formed capable of organizing a united opposition against the Government.

The Kukas regard it a righteous act to give their lives for the sake of putting a stop to the slaughter of kine.

They believe relying on the doctrine of the transmigration of soul, that Guru Nanak has lived in the several ages of the world, from the Satyug to the present or Kalyug, that heretofore Nanak has appeared in the person of Raja Janak, Guru Tegh Bahadur and Maharaja Ranjit Singh, that he will appear next as a powerful king, that he will punish the Cow-killers, that the founder of the Kuka Sect, Balak Singh, will appear as Nanak's Wazir or Minister and lastly, that he will first appear in Malwa and will then be installed in State at the Durbar Sahib in Amritsar.

These things are spoken as Enigmas.

The office-holders and Chaukidars submit a daily to their Guru written in the Gurmukhi or Landa characters and they are strictly enjoined to do this.

The Missionaries of the Sect go about dressed as Fakirs to make proselytes.

The lower classes of ignorant Muhammedans also become proselytes.

On the occasion of preaching the Kukas used to keep in their hands a drawn sword: they now use a knife.

Formerly they broke the hukkas (or hubble-bubbles) of the people and demolished tombs or graves.

Their assemblies are conducted in an orderly manner and with grand display.

Within the jurisdiction of the Panjab Government, several atrocious outrages have been lately perpetrated by the Kukas and the effects of these outrages have spread to many districts of the Panjab.

All sorts of false reports are being disseminated.

It is reported that in the North Western Provinces a Gakhar is distributing bread in the villages as was done before the Mutiny of 1857.

It is a common saying among the common people: "The Kukas are a bad Sect."

In the Panjab the Kukas number between three and four hundred thousand. If they attempted to act as incendiaries and commenced setting fire to buildings a great commotion would be caused.

In their Assemblies it is observed that if every Kuka, arming himself with his axe and knife were to follow Government Officers, as were done in the case of Munshi Jaishi Ram, many such could be easily killed.

It is declared by some that the Kukas have been enjoined to carry an axe and knife to enable them to slaughter Butchers, who employ similar instruments (for slaying cows) and (to kill) the purchasers of beef.

Numerous women, both matrons and windows are enrolled in the Sect.

Crime is on the increase.

A chief source of objectionable reports being disseminated is the general freedom enjoyed by the people.

Various Societies and Clubs are springing up.

A Dharam Sabha or Hindu Religious Society and a Muhammedan Religious Society have been established for the discussion of the topics relating to religion, in which instruction is not given in the Government Schools.

This indicates the policy of the Government which does not interfere with the religious practices of the people.

But the results which are contemplated to be produced from the establishment of these Societies, viz., the advancement of civilization and improvement of the national character of the people are chimerical, as the natives are fickle and volatile.

These Societies have become the means of strengthening prejudices. This proceeds from the diversity of religions in India. In Europe, although there are various sects, still they all follow the same religion. The people (in Europe) are civilized and the best results have been produced.

In India, the diversity of religions is a source of discord.

At Amritsar, when the question comes up before the Municipal Committee, of a contract being given for fees levied at the slaughterhouse, the Hindu Members never speak to the Butures.

Bahi Gurdit Singh Gubri exclaims: "Wahguru! Wahguru!"

The day that the contract is sold by auction, Hindu Members go home and Purify themselves by bathing repeatedly and then proceed to the Durbar Sahib, where they beg forgiveness.

On the other hand, the Muhammedan Members look carefully into all the details of the matter and freely talk with the Butures.

This gives great offence to the Hindu Members and a feeling of hatred is engendered between the two classes of the Members,

which compose the (Municipal) Committee.

Last year, on the occasion of Id-I-Qurban or the Big Id, a Musalman Kharasi or Flour Seller (owner of a mill worked by bullocks), secretly slaughtered a calf in his house. Kahaiya Shas, a Hindu Seller induced all Hindus in the Salt Mandi to discontinue getting flour ground at the (Muslim) mills, and for one month no flour was got ground by the Hindus at any of the mills owned by Muhammedans.

Eventually fifty owners of mills were bound down by recognizances not to slaughter kine (and calves) in their houses.

The Members of the (Municipal) Committee never reported the matter to authorities.

A request was made to the Court praying that the sale of beef might be prohibited within the city in the Mahallas inhabited by Muhammedans. (To meet court expenses) a subscription was raised (by Hindus) to the amount of two thousand rupees. Hindu Members of the (Municipal) Committee also subscribed.

Hindus declared that they would cause the practice to the entirely discontinued: Muhammedans declared that they would never allow it to be stopped.

How is it that Member of different Committees and Societies, whose duty it is to keep the authorities informed beforehand of what is expected to happen, did not give information of these matters?

Members of Municipal Committees and some Honourary Magistrates strive to please the authorities by flatteries and conceal from them their private views and sentiments. They also make the people to serve their own private interests.

To turn to Anjumans and Societies, some declare that the

Revenue Law of India is very exacting and harmful and that notwithstanding this, other taxes are imposed by the Government.

The Law Society concludes that although the Indian penal code applies equally to natives and Europeans, the latter are treated with leniency.

As regards public servants, the cry is, why superior appointments are not give to natives and at the present time, it is complained, that even inferior appointments are now given to Europeans.

The students in Government Schools and Colleges assert, in regard to the University recently established, that the real intention of the endeavours being made for the dissemination of knowledge through the medium of translation into the vernacular, is to exclude the people from acquiring an extensive knowledge of English.

Thousands of lads of the trading and working classes receive instruction in the Public Schools and after acquiring a very scanty knowledge seek employment in the Government service. But there is no employment for them under the Government. These youths neither follow their own business nor obtain employment in the Government service, and are involved in distress. Some of them openly complain that there exists no other Great Government under which they might obtain employment, and declare that they wish that the Russians might come closer, for (then) they would go and obtain employment under them. Strutted for livelihood, they delight to tell the people, on the authority of newspapers, that the Russians are approaching nearer and nearer.

Some of the well educated students of Government Institutions and Members of Panjab Societies are now preparing statistics to show the extent of proprietary rights sold by auction or

transferred from the original owners and the extent of land acquired by Banias (or Merchants) who have been, since Annexation, lending money on interest to the Zamindars.

What is stated above is only a repetition of what is said by the people themselves, without a single word being added to it.

To speak now of the Wahabis, this is a most bigoted Sect. They gave much trouble in Arabia and subsequently in India. They have also fought against the British Government. They publish Treatises such as Risala Jihadia and Haink-ul-Ashrar etc. in which waging war against the Government is enjoined as a religious duty. And they declare that it is now incumbent (on the Britons) to quit India. They raise subscriptions for the purposes of furthering their religious objects. Their strongholds are Patna, Mirth, Ambala, Amritsar, Lahore and Peshawar.

But at the present time the Kukas have become more dangerous and troublesome. The Wahabis have hitherto confined their outrages to the border. The Kukas commit outrages in settled districts within the British territory.

EDITORIAL OBSERVATIONS

The foregoing Secret Government Report reveals that in 1872 Kukas in Panjab numbered more than three lakh.

Whereas the Butchers employed axes and knives to slaughter kine and calves, Kukas, in turn, carried on their person's axes and knives to kill Kine-Killers.

The adherents of Baba Ram Singh addressed him as Sachcha Padshah or True King.

Kukas believed that Guru Nanak's soul inhered in the bodies of Raja Janak, Guru Tegh Bahadur and Maharaja Ranjit Singh. They further believed or imagined that Guru Nanak would next appear as a Powerful King when Baba Balak Singh will be

reborn to be appointed as his Nazir of Minister. The words 'Powerful King' perhaps suggest the hope that at some future date Baba Ram Singh will return to seize vast territory from substandard ruling hierarchy.

In 1872 numerous Kuka matrons and widows carried out assignment entrusted to them.

In 1872 the British Government in India considered Kukas more potentially dangerous than the ant British Wahabis.

We believe that no holy person ever issued personal instructions that his adherents must address him as Guru, Satguru or Sachcha Padshah. We suppose that no holy being thus far assumed such title of his own accord: such title is earned, not claimed. The inner sense of gratitude of the Learner for the Enlightener develops into the *raison d'être* of the former calling the latter as Guru.

**EXTRACTS FROM
CORRESPONDENCE RELATING TO KUKA OUTBREAK
(No. 7 of 1872)**

From Government of India to Her Majesty's Secretary of State for India.

My Lord Duke,
Fort Williams, 19 January 1872.

1. We enclose for your Grace's information a copy of the telegrams noted in the annexed list, regarding certain disturbances created by bodies of Kuka's in the Ludhiana District of the Panjab.

2. Two attacks were committed by these men: one, by a body said to be 200 strong, on Malodh Fort, during the night of the 14th January; the other, probably by the same body, though estimated at 500 in number, on Malair Kotlah, on the morning of the 15th. Both attacks were repulsed.

3. In compliance with the application of the Deputy Commissioner of Ludhiana, a strong military force was promptly dispatched to his aid from Delhi and Jalandhar. Meanwhile, the Maharajas of Patiala, Nabha and Jind, rendered prompt assistance, and about 100 Kukas, who were concerned in the attack on Kotlah, have been killed, wounded or captured, including their two leaders, Lehna Singh and Heera Singh. The Deputy Commissioner telegraphs, under date the 17th instant, that tranquility has been restored.

4. The leader of the Kuka Sect, Guru Ram Singh, was at once ordered into Delhi by the Lieutenant Governor, and has since been sent, with two of his lieutenants, under a guard to Allahabad.

5. These are the only particulars we have yet received, but inquiries are in progress as to the causes, which occasioned and the persons who were engaged in these outrages. It is conjectured, however, that the object of the Kukas in their attacks on Malodh and Kotla, was to procure arms.

6. We await the receipt of a full report from the Lieutenant Governor and we shall forward it to your Grace as soon as possible.

TELEGRAMS

(1)

TELEGRAM, dated the 15th January 1872.

From Secretary to Government, Panjab, Delhi to Home Secretary, Calcutta.

Deputy Commissioner, Ludhiana telegraphs the following:

"Two hundred Kukas attacked Malodh Fort last night, wounded Sardar Badan Singh and killed two men. One Kuka killed and two captured. I go out at once. Particulars by post."

The crime shows great boldness on part of Kukas.

(2)

TELEGRAM, dated the 16th January 1872.

From Viceroy to Lieutenant Governor of the Panjab.

Your telegram of yesterday received. It is very desirable that the most experienced officer available should be sent to the spot to inquire into the matter.

It is of the utmost importance that the whole facts of the case should be thoroughly sifted and ascertained without delay, so that there can be no possible chance of the Government being misinformed as to causes which occasioned and the persons engaged in this most serious outrage.

(3)

TELEGRAM, dated the 16th January 1872; 11:50 a.m.

From Lieutenant Governor of Panjab, Delhi to the Viceroy.

Attack on Malodh by Kukas, already reported was followed next morning by one on Malair Kotla. Seven inhabitants thereof killed; numbers of Kukas 500.

In compliance with requisition of Deputy Commissioner of Ludhiana for troops, one regiment Native Infantry, wing of Europeans, detachment of Cavalry, leave this morning for Khanna, between Ambala and Ludhiana.

Deputy Commissioner has since telegraphed that a great number of Kukas have been surrounded at Malair Kotla and that he has got cavalry from Nawab but I have not stopped troops going.

Following on antecedents, these outrages show incorrigible conspiracy in leaders of sect. Country not safe whilst leaders

at large. I have therefore authorised Forsyth in effect capture of Ram Singh and principal Subas. Report by post.

(4)

TELEGRAM, dated the 16th January 1872; 4 p.m.

From Viceroy to Lieutenant Governor of Panjab, Delhi.

Your action entirely approved. We shall be anxious to hear further

(5)

TELEGRAM, dated the 16th January 1872.

From Deputy Commissioner, Ludhiana, Malodh, to Home Secretary, Calcutta.

16th January 1872. The inquiry progresses. The whole facts and I hope the names of all engaged, will be discovered. I go on to Kota to night or tomorrow. It is not known yet with certainty where the Kuka rebels are.

(6)

TELEGRAM, dated the 16th January 1872.

From Secretary to Government, Panjab, Delhi, to Home Secretary, Calcutta.

16th Deputy Commissioner, Ludhiana, telegraphs today; "The inquiry progresses. The whole facts and I hope the names of all engaged will be discovered. I go on to Kotla to-night or tomorrow. It is not known yet with certainty where the Kuka rebels are."

(7)

TELEGRAM, dated the 17th January 1872.

From Secretary to Government, Panjab, Delhi to Home

Secretary, Calcutta.

Commissioner telegraphs from Ludhiana, 16th: "The European Companies from Jalandhar have arrived. All quiet here. Seventy Kukas, very Sevorely wounded, after Kotla fight, were seized at Sherpur in Patiala territory; probably these are all. Former number evidently exaggerated by native reports. Ram Singh was with Cowan today and has now been sent for to come in here."

(8)

TELEGRAM, dated the 17th January 1872.

From Cowan, Deputy Commissioner, Kotla to Home Secretary, Calcutta.

Tranquility restored. About 100 Kukas killed, wounded or captured. Patiala, Nabha and Jind giving active assistance.

(9)

TELEGRAM, dated the 17th January 1872.

From Secretary Panjab Government to Home Secretary, Calcutta.

Deputy Commissioner telegraphs from Kotla 16th: "Tranquility restored. About 100 Kukas killed, wounded or captured. Patiala, Nabha and Jind giving active assistance.

(10)

TELEGRAM, dated the 18th January 1872.

From Secretary to Government, Panjab, Delhi to Home Secretary, Calcutta.

Maharaja telegraphs following:

"Yesterday, 16th at 11 morning, Sayed Nyaz Alli, my Naib Nazim of Omergurh, arrested with only a few men with him,

with great courage, 68 Kukas who made disturbance at Kotla and Malodh. Among them there are 29 wounded men. Hira Singh and Lehna Singh, their leaders, have also been apprehended. More by dak."

(11)

TELEGRAM, dated the 18th January 1872.

From Secretary to Panjab Government to Home Secretary, Calcutta; Magistrate, Allahabad; and Secretary, Government, North Western Provinces.

Ram Singh Kuka leader with Lakha Singh and Sahib Singh, his lieutenants forwarded to Allahabad, under charge of European officer and Gurka guard by this morning's train.

(12)

TELEGRAM, dated the 18th January 1872.

From Secretary, Government, Panjab, to Home Secretary.

At Kotla on 17th instant, 49 of the men who had attacked Malodh were blown away from guns by the Deputy Commissioner. The circumstances under which this was done are not yet clearly known, but explanation has been called for from Commissioner. The other Kuka leaders have been arrested.

(13)

TELEGRAM, dated the 18th January 1872.

From Secretary, Government, Panjab, to Home Secretary.

At Malodh two Kukas killed, four wounded and five captured; 68 captured in Patiala territory of whom 29 were wounded, others since captured. No Government troops were engaged. At Malodh Sardar lost two men killed and two wounded. At Kotla the Kotwal was killed fighting gallantly; seven men also killed

and 15 wounded. Quiet restored.

(14)

TELEGRAM, dated the 19th January 1872; 1 p.m.

From Viceroy to Lieutenant Governor.

Clear the Line.-Stop any summary execution of Kukas without your express orders

No. 9 of 1872)

From Government of India to Her Majesty's Secretary of State for India.

My Lord Duke,
Fort William, 2 February 1872

In continuation of our Dispatch No.7, dated the 19th January, we transmit for your Grace's information a copy of further papers, as noted in the annexed list, regarding the recent outrages committed by bodies of Kukas at Malodh and Maler Kotla in the Ludhiana District of the Panjab.

2. In accordance with the recommendation of the Panjab Government and under the circumstances so fully explained by Mr. Forsyth, the Commissioner of the Ambala Division, we have issued warrants under Regulation III. Of 1818 for the detention in custody in the Allahabad goal of the Kuka Guru Ram Singh and of 10 of his most influential Subahs.

3. While fully acknowledging the promptitude and Vigour with which the local officers acted on the first intelligence of the disturbances, we regret we have been obliged to question the propriety of the ulterior proceedings of Mr. Cowan, Deputy Commissioner of Ludhiana. We have, you will preventive, ordered his suspension, pending full inquiry into his conduct, in summarily executing the Kuka insurgents captured in the

Patiala Territory.

TELEGRAM, dated the 19th January 1872.

From Secretary to Government, Panjab, Delhi, to Home Secretary, Calcutta.

The following from Commissioner 19th: "All at present known to have been concerned in attack on Kotla have been captured and convicted. Fifty were executed yesterday by Cowan, among them Hira Singh and Lehna Singh, Subas. Sixteen are now to be executed. Four made over to Patiala for punishment. Seven Kukas caught at Malodh, being in British territory, will be tried there by me tomorrow and case sent to Chief Court immediately. No direct evidence against Ram Singh in this case sufficient to put him on his trail. Colonel Gough and detachment of cavalry here. Perfect tranquility. Cowan's prompt action deserves praise. Patiala, Jind and Nabha gave signal help.

TELEGRAM, dated the 19th January 1872.

From Secretary to Government, Panjab, Delhi to Home Secretary, Calcutta.

Following telegram from Ludhiana: "Sixteen more executed yesterday at Kotla by Commissioner. Four made over to Patiala. Seven, who were captured at Malodh, undergo regular trial today. Baillie still at Bhainee, which he has cleared of all males. One hundred and seventy-two, who came in yesterday afternoon and were sent off by me in parties to respective districts, except fifty, who having no regular residence but Bhainee, are here in custody waiting Commissioner's orders. Smith from Lahore will take down Kahan Singh and other Subas to Allahabad this afternoon."

TELEGRAM, dated the 19th January 1872.

From Lieutenant Governor, Panjab, Delhi to Viceroy, Calcutta.

Your telegram. Mr. Cowan's executions were followed yesterday by sixteen more, elaborately ordered by Forsyth after reaching Maler Kotla. Kukas arrested in British territory will be regularly tried. No more summary executions will take place.

From L.H. Griffin, Esq., Officiating Secretary to the Government of the Panjab to E.C. Bayley, Esq., c.s.i., Secretary to the Government of India (No. 9 c.) ; dated Delhi the 16th January 1872.

I am directed by the honourable the Lieutenant Governor to forward copies of telegrams, the purport of which has already been communicated to his Excellency the Viceroy.

2. It will be seen that on the night of the 14th an attack was made by a party of Kukas, estimated at 200, on the Fort of Malodh, situate about 20 miles south of Ludhiana, belonging to the Malodh Sardars, Sikh chiefs of approved loyalty and service. One or two casualties occurred on either side and the son of Sardar Mit Singh, by name Badan Singh, a Jagirdar magistrate, was wounded. The object of the attack was presumably to obtain arms, but no details have yet been received. On receipt they will be at once communicated.

3. The next morning a larger force of Kukas, 500 in number, attacked the fort of the large town of Kotla, capital of the Muhammedans State of Maler Kotla, about 30 miles south of Ludhiana. Some seven or eight persons were killed by the assailants, who appear to have been beaten off with some casualties in the neighbouring villages to re-attack. This thousands of Kukas are assembling in the morning the Deputy Commissioner of Ludhiana reports that two Kukas were killed and four captured, while a large number has been surrounded at Katta, which may be a mis-spelling for Kotla.

4. On the news of the attack on Malodh, the Lieutenant Governor at once deputed Mr. T.D. Forsyth, c.b., Commissioner of the

Ambala Division to Ludhiana, to report at once the measures advisable to adopt; but before the departure of the train, the second report of the attack on Maler Kotla was received.

5. The honourable the Lieutenant Governor at once conferred with his Excellency the Commander in Chief and it was arranged that the 1st Gurkhas, a wing of the 72nd Regiment and a mule battery, should proceed to Khanna, the nearest station to Kotla, to act under the orders of General Tytler, Commanding the Ambala Division, where necessary. A troop of the 12th Bengal Cavalry accompanied them. Ludhiana which is now unprotected will be strengthened by three companies of the 54th Foot from Jalandhar and a half-battery of Royal Artillery.

6. The Lieutenant Governor has directed the arrest of Ram Singh and of his principal and most influential Subas-Sahib Singh, Rur Singh, Lakha Singh, Kahan Singh, Brahma Singh, Jawahar Singh, Malak Singh, Man Singh and Hikma Singh. The arrest of Ram Singh will be effected as rapidly as possible, the details of the capture being arranged by General Tytler in Communication with the Commissioner of the division.

7. The men above named, if arrested will be at once forwarded to Allahabad, as his Honour does not consider it advisable to retain them in the Panjab. Regarding their future destination, the Lieutenant Governor will make further recommendations, but he now requests the issue by his Excellency the Viceroy and Governor General in Council of warrants, under Regulation III. Of 1818, against all the men above mentioned.

8. So little information has been received as yet that it is difficult to form any conclusions as to the course the Kukas are now likely to adopt. The honourable the Lieutenant Governor, however, has every hope that the measures taken by him will restore confidence and tranquility to the country at once. He is convinced of their necessity and trusts that they may receive

the full concurrence of his Excellency the Viceroy.

TELEGRAM, dated the 15th January 1872.

From the Deputy Commissioner Ludhiana, to the Secretary to Government, Delhi.

Two Hundred Kukas attacked Malodh Fort last night, wounded Sardar Badan Singh and killed two men. One Kuka killed and two captured. I go out at once. Particulars by post.

CORRESPONDENCE RELATING TO

TELEGRAM, dated the 15th January 1872.

From the Deputy Commissioner Ludhiana, to the Government of Ambala.

Maler Kotla attacked by 500 Kukas this morning. Eight or ten killed. Send troops sharp.

TELEGRAM, dated the 16th January 1872.

From the Assistant to Inspector General of Police, Lahore to the Inspector General, Delhi.

District Superintendent, Ludhiana, reports that 200 Kukas attacked Maler Kotla Fort. Few killed and wounded both sides. Thousands are assembling in neighbouring villages to re-attack. Civil officer informed Government.

TELEGRAM, dated the 16th January 1872.

From the Deputy Commissioner, Molan Kalli, Ludhiana District, to Secretary to Government.

Don't send troops. I have sent for some cavalry from Nawab. Two Kukas killed and four captured at Madondhi. A great number surrounded at Katta.

Confidential from L.H. Griffin, Esq., Officiating Secretary to the

Government of the Panjab, to E.C. Bayley, Esq., c.s.i., Secretary to the Government of India (No. 15 C.); dated Delhi, the 17th January 1872.

I am desired by the Honourable the Lieutenant Governor request that the name of Pahara Singh, omitted by mistake from my letter, No. 9 c., of yesterday, may be added to those of the Kuka leaders for whom warrants are required under Regulation III. Of 1818.

From E.C. Bayley, Esq., c.s.i., Secretary to the Government of India, to L.H. Griffin, Esq., officiating Secretary to the Government of the Panjab (No. 102); dated the 22nd January 1872.

I am directed to acknowledge the receipt of your letters Nos. 9 c. and 15 c., dated respectively the 16th and 17th instant, reporting particulars connected with the attacks made by certain Kukas on the Fort of Malodh and Kotla; and in reply I am desired to state that the Governor General in Council is pleased to approve the action taken by the Honourable the Lieutenant Governor.

2. Warrants of custody under Regulation III. Of 1818, against Ram Singh and his Subas (named in your letters) have been sent direct to the magistrate of Allahabad.

From W.M. Souttar, Esq., M.A., Officiating Under Secretary to the Government of India, to the Magistrate of Allahabad (No. 103); dated to the magistrate of Allahabad.

A am directed to enclose 11 warrants of custody issued under Regulation III. Of 1818, against the Kuka leader, Ram Singh and certain of his influential associated, who have been sent by the Panjab Government of Allahabad.

TELEGRAM, dated the 22nd January 1872.

From Home Secretary, Calcutta, to Lieutenant Governor, Panjab, Delhi.

Warrants against Ram Singh and followers sent by post to Allahabad.

From L.H. Griffin, Esq., Officiating Secretary to the Government of the Panjab, to E.C. Bayley, Esq., c.s.i., Secretary to the Government of India (No. 18 c.); dated Delhi, the 17th January 1872.

In continuation of my letter, No. 9 c., of yesterday, I am desired to forward, for information, copy of the first detailed report received from the Deputy Commissioner of Ludhiana of the recent outbreak of the Kukas.

From L. Cowan, Esq., Deputy Commissioner, Ludhiana, to the Commissioner, Ambala Division (No. 114); dated the 15th January 1872.

Late on the night of the 13th instant, Sarfraz Khan, Deputy Inspector of Police at Sanehwal, came in and reported that, on the same day, a gang of about one hundred Kukas of the Patiala State who had gone to Bhaini to be present at the "Maghee" Mela held there, a small gathering (at which probably 500 persons assembled) had worked themselves into a state of frenzy and declared that they would be revenged for the death of Giani Singh, a culprit who was hanged at Ludhiana last month. Sarfraz Khan was present at Bhaini when this occurred. He stated to me that Ram Singh, the leader of the Kukas, went up to these men with a turban round his neck and entreated of them not to create a disturbance; that they would not listen to him; and that Ram Singh then came to the Deputy Inspector, and reported to him that these men were up to mischief, and that he had no control over them. This occurred about 2 p.m. on the 13th. Ram Singh named Hira Singh and Lena Singh of Kukrandi, in the Patiala State, as the leaders of the gang. Soon

after this gang left Bhaini and the Deputy Inspector, notwithstanding the gravity of the report made to him, thought it sufficient to tell off a serjeant of police to see the gang out of our territory. The serjeant returned a few hours afterwards and reported that gang had entered the Patiala State and had gone in direction of Rampur. Not till then did the Deputy Inspector come into Loodianah with a report of the affair. I should mention that the Kukas are said to have declared their intention of proceeding to Maler Kotla.

2. I immediately warned the Vakils of Patiala and Kotla and noticed to the District Superintendent of Police the gross negligence of the Deputy Inspector in not having had this gang followed up and watched.

3. Information has just reached me that last night about 7 p.m., a gang of 200 Kukas attacked the residence of Sardar Badan Singh at Malodh, wounded the Sardar and killed two men, and carried off two or three horses. Of the attacking party ten are said to have been mounted. In this affair one of the attacking party was killed, and two have been captured; Sardar Badan Singh is related to the Maharaja of Patiala and it is probably in revenge for the assistance rendered by the Maharaja in the butcher murder case that this attack has been made on his relative. If it be true that some of Sardar Badan Singh's horses have been carried off, this is not a pleasant feature, for it denotes that some other atrocity is in contemplation. I go out at once to Malodh to make inquiry into this case, and shall report to you all that I discover.

P.S.-Intimation has been sent to the Maharaja of Patiala by letter and telegram, informing him that Hira Singh and Lehna Singh of Sakrandi are the reported leaders, and asking him to have them captured and give assistance.

I have summoned Ram Singh and his chief Subas to Malodh

to make such inquiries as will, I hope, lead to the identification of all concerned.

From L.H. Griffin, Esq., Officiating Secretary to the Government of the Panjab, to E.C. Bayley, Esq., c.s.i., Secretary to the Government of India (No 23 c.); dated Camp Delhi, the 19th January 1872.

I have the honour to forward herewith copies of letters from Mr. T.D. Forsyth, c.b., Commissioner of the Ambala Division, dated 17th and 18th instant, with annexures; and copy of a demi-official letter dated 18th, from Captain Menzies, Deputy Inspector General of Police; also a special report dated 17th, from Lieutenant Colonel E. Perkins, District Superintendent of Police, Ludhiana District, on the subject of the Kuka outbreak.

2. The honourable the Lieutenant Governor observes that the action taken by him, when the first news reached him by telegraph of the desperate attacks on Malodh and Maler Kotla, in sending to the scene of disturbance sufficient troops to restore order, and in deporting the head of a sect which had proved itself dangerous to the public safety, has been entirely approved by his Excellency the Viceroy; and his Honor the Lieutenant Governor has received this expression of his Excellency's approval with much satisfaction.

3. The Lieutenant Governor regrets the course taken by Mr. Cowan, Deputy Commissioner of Ludhiana, in summarily executing the Kuka insurgents captured in Patiala territory and is of opinion that there was no such urgent necessity as to justify that officer acting without the orders of the Commissioner, whose letter directing formal procedure to be employed in the trial of the insurgents appears to have reached Mr. Cowan after the executions.

4. The position of the Deputy Commissioner was, however, peculiar. He was in a Native State, some distance from the

officer to whom he had to look for instructions and no doubt believed that the outbreak was of such a character, and likely to excite the sympathies and active co-operation of so large and powerful a sect, that it was necessary to take action promptly before it had grown to any formidable dimensions. The Commissioner, Mr. Forsyth, considers that the Deputy Commissioner deserves praise and has himself at Kotla executed, after trial, 16 more of the men implicated.

5. The Lieutenant Governor is aware that all the men implicated in murder, rebellion and the most savage attacks on the towns of Malodh and Maler Kotla were liable to the punishment of death in ordinary course of law. He is also aware that any success, however temporary, obtained by the insurgents, would probably have been followed by risings of the Kukas in other districts; but he is still of opinion that there was undue haste in the executions, while policy would not have required as an example, so large a number of capital punishments. At the same time the position of an officer, alone and acting upon his own responsibility, when naturally excited by the enormity of offences, the relative importance of which he is unable to judge exactly from ignorance of what is occurring elsewhere, must fairly be considered; and if Mr. Cowan has erred on the side of precipitancy, it is not given to all officers of Government to be at the same time energetic and discreet. An opportunity has been given to Mr. Cowan of explaining more fully the grounds of his action.

6. Complete tranquility is now restored and any other trials which may be necessary will be conducted for offences committed in British territory and in accordance with ordinary legal procedure.

7. The deportation of Ram Singh, the leader of the turbulent Kuka sect and his most influential lieutenants, appears to the Lieutenant Governor to have been an inevitable result of the present outbreak and whether proof is forthcoming to connect

him with the particular crimes under report appears to his honour of little moment. The Kuka sect has shown itself to be obnoxious to public tranquility; the series of violent crimes during the past year at Amritsar, Raikot and Morinda, which has so much alarmed already have now been followed by open rebellion and attacks upon towns, which if successful as from their suddenness they might well have been, would have occasioned serious inconvenience to the Government. The Government contented itself with punishing the actual perpetrators of the first-mentioned crimes and trusted that its moderation would have induced the leaders of the sect to insist on their followers abstaining from violation of the law. Such has not been the case. It was at Bhaini, the village of Ram Singh, that the Kukas who committed the present outrages assembled and from which they departed on their expedition; and whether Ram Singh at the last found his followers had got beyond his control, whether he desired an experiment to be made to try the temper of the Kukas to be followed, if successful, by a general rising of the sect, or whether he only believed that the time had not come when action could be safely taken, is uncertain. What is certain is that the outrages were the immediate result of the doctrines taught by him, as the crimes at Amritsar, Raikot and Morinda were committed admittedly with his knowledge and nothing which has since come to light has in any way altered the view of the Lieutenant Governor, on which the instructions to the Commissioner of the Ambala Division were based that the deportation of Ram Singh had become a measure absolutely necessary in the interests of public tranquility. Mr. Macnabb, the late Officiating Commissioner of the Ambala Division before leaving it, placed on record his opinion of the necessity for placing Ram Singh in confinement and the Lieutenant Governor will submit a further report on the subject.

From T.D. Forsyth, Esq., c.b., Commissioner and Superintendent, Ambala Division, to the Secretary to the

Government of the Panjab, Delhi; dated Camp Ludhiana, the 17th January 1872.

I have the honour to forward herewith copy of a letter received from the Deputy Commissioner, Ludhiana at an early hour (5 a.m.) this morning, reporting that tranquility had been completely restored in district. A copy of my reply is also forwarded.

2. I telegraphed to you last night the substance of news which had been brought to me by the wakil of his highness the Maharaja of Patiala, to the effect that a body of about 70 Kukas, some with guns, some with swords and others with gundasas and sticks had come from Maler Kotla to Sherpore, which is about 13 miles west of Kotla and had surrendered to the Nazim of Amargarh. About 30 of these men were wounded and all acknowledged that they had been in the attack on Kotla. The total number of Kukas employed on this attack appears not to have exceeded 125.

3. Ram Singh, it appears from one report sent in by the District Superintendent of Police last night, joined the Deputy Commissioner at Malodh on his requisition, but was told to come into Ludhiana by him on Mr. Cowan's advancing to Kotla.

4. I have directed Colonel Billie to cause Ram Singh to come to Ludhiana at once. Lukka Singh came in of his own accord on the 15th and has been detained till Ram Singh's arrival, when he shall be disposed of as ordered by the Inspector General's telegrams.

5. It is reported that 200 Kukas are collected in the village of Bhaini, which is 15 miles distant from Ludhiana, on the road to Kalka. I have directed Captain Menzies to proceed there and bring back with him any Subas or others whose presence may be required here.

6. As soon as I have decided what to do with Ram Singh, on

his arrival here, I shall proceed to Kotla.

7. Two companies of her Majesty's 54th Regiment arrived yesterday from Jalandhar and are lodged in fort. The artillery from Jalandhar is coming in. Colonel Gough, with 100 sabres, has just arrived. I have telegraphed to the General Commanding Sarhand Division to keep the European troops at Ambala, but to send on the 1st Goorkas to this place.

8. Further reports shall be submitted hereafter.

From L. Cowan, Esq., Deputy Commissioner, Ludhiana, to T.D. Forsyth, Esq., c.b., Commissioner and Superintendent, Ambala Division; dated Camp Kotla, the 16th January 1872, 7.30 p.m.

In reply to your telegram of yesterday's date, informing me that you would be at Ludhiana this evening and directing me to send a report to meet you there, which telegram has just been received by me, I have the honour to report to you that tranquility has been completely restored and that there is no necessity for you to come to Kotla.

2. The gang of rebels, for no other name will adequately characterize them, never numbered more than 125; of these were at Malodh 2 killed, 4 captured; at Kotla 8 killed, 31 wounded. Of those wounded, 25 or 26 escaped at the time; but 68, including 27 wounded, have been captured in the Patiala State at Rar, a village 12 miles from this. The entire gang has thus been nearly destroyed. I purpose blowing away from guns or hanging, the prisoners tomorrow morning at daybreak.

Their offence is not an ordinary one. They have not committed mere murder and dacoity; they are open rebels, offering contumacious resistance to constituted authority and to prevent the spreading of the disease, it is absolutely necessary that repressive measures should be prompt and stern. I am sensible of the great responsibility I incur; but I am satisfied that I act for

the best and that this incipient insurrection must be stamped out at once.

From T.D. Forsyth, Esq., c.b., Commissioner and Superintendent, Ambala Division, to L. Cowen, Esq., Deputy Commissioner, Ludhiana; dated Ludhiana, the 17th January 1872.

I have to acknowledge the receipt of your letter dated Kotla, 6th January, 7.30 p.m.

2. The body of Kukas now apprehended in Patiala territory have committed two separate offences, one offence affecting British jurisdiction, the other offence affecting the semi-independent jurisdiction of Maler Kotla.

3. As regards offences committed in Maler Kotla, the authorities there have full power to try and sentence criminals, sending the case up to the Commissioner for sanction when the sentence is capital punishment.

4. I request that you will prepare at once the case against such as appear to you to be deserving of capital punishment and I shall then give immediate orders; but with deference to your expressed desire for promptitude the case is not sufficiently urgent to justify the abandonment of the very simple form of procedure we have at hand.

5. I purpose proceeding to Maler Kotla very shortly.

From T.D. Forsyth, Esq., c.b., Commissioner and Superintendent, Ambala Division, to the Secretary to the Government of the Panjab, Delhi; dated Camp Ludhiana, the 18th January 1872.

I have the honour to inform you that I have considered it absolutely necessary for the preservation of peace in this district, first for the peace of the whole province, to deport Ram

Singh, leader of the Kuka sect at once from the Panjab and to send him to Allahabad for safety until the pleasure of the Government regarding his final disposal be made known.

2. The complicity of Ram Singh in the outrages committed by his followers at Malodh and in the state of Maler Kotla has not yet been thoroughly inquired into; and it is a fact that he reported to the police the intention of Lehna Singh and Hira Singh, the chief actors in the present case, to commit outrages. But by his own admissions his followers make use of his name and take advantage of his presence among them to call on their fellows to commit murders and create disturbance. He admits, whilst I am now writing down his words, that some time (he says about a month or six weeks) before the Amritsar murder, two men, Jhanda Singh and Mehar Singh, asked leave to kill the butchers. Others joined in the request, but he strenuously forbade them; nevertheless, they perpetrated the crime. He admits that though he had a strong suspicion that these men were the culprits, he did not give any information to the Government. Some time afterwards he says that Dal Singh, Mangal Singh, Diwan Singh and two others came and asked his leave to commit the Raikot murder; but he forbade them and they did the deed without his knowledge. But he admits that he never gave any clue to the Government officers, not even when he was summoned to Bassean by Mr. McNabb and interrogated. It is, therefore, quite evident that he kept the Government in the dark as to the proceedings of his followers. His excuse is, that he was ignorant of our laws, and that as he had forbidden his followers to be guilty of murder, there was no obligation resting on him to report the matter to Government, no even when he found that murders proposed by his followers had been committed.

4. To allow such a man to be at liberty is in the highest degree dangerous, even supposing his statement to be true and then

to be no more guilty of complicity than is to be inferred from his silence, when information from him as in the Amritsar case, would have led to a prompt apprehension of the real culprits.

5. I trust that the action I am now about to take may receive the sanction of the Government and that a warrant may be issued, under Regulation IH. Of 1818, for the detention in custody of Ram Singh and that of his Subas who during the next day or two shall be apprehended and forwarded to the magistrate of Allahabad.

Demi-Official Letter From Captain Menzies dated Ludhiana, the 18th January 1872.

My dear Colonel,

I enclose special report from Perkins, just received. It appears that Mr. Cowan has acted on his own responsibility and executed the greater part of those arrested in Patiala. Forsyth has gone out and I fancy will try the remainder and have them executed in the legal manner. They appear to have been quite beyond control. I was up all last night arranging for dispatch of Ram Singh, Lakha Singh, Sahib Singh and Jawahar Singh, who were sent off under a guard of 12 gorkhas and Mr. Jackson to Allahabad. Ram Singh came in here, in obedience to summons sent out by you directing him to do so, with only four followers. He arrived at two a.m. and left at four a.m. During the two hours Mr. Forsyth questioned him, and he certainly acknowledged to have been aware of both the Raikot and Amritsar murders being contemplated and has given up the names of the men who were the prime movers. In the former, Dal Singh, Diwan Singh, and Mangal Singh and in the latter, Jhunda Singh and Mehr Singh. Of Thatta, Zillah Amritsar. Baillie went off last night with 25 sowars to fetch Ram Singh from the direction of Malodh, but he had passed on to Bhaini; so Baillie halted at Sahnewal for the night, and at 4.30 a.m. 40 gorkhas and 12 police were

sent down to him by special train, and he went straight off to Bhaini to arrest remaining subas, and to search for arms and papers. Just as he was leaving Sahnewal, five other subas came in there with the clerk serjeant, viz.:-

Brahma Singh,

Pahara Singh,

Hukma Singh,

Kahan Singh Nahung, and

Gopal Singh;

So he sent them on by morning train, and I have now got them here under a gorkhas guard waiting for a European officer to escort them. Everything seems quiet. I had written round to all districts about their gaol and treasury guards, and warned them against any surprise. We seem to have secured all the chief men except. Maluk Singh, and he is said to be at Bhaini and Baillie will probably bring him in this morning. I myself was against Ram Singh being deported, but Mr. Forsyth said that he send him off before he went out to Maler Kotla.

Police Department, Ludhiana District, No.3 of 1872.

Special Report of Crime, 17th January 1872 Kotla.

Arrived here yesterday afternoon with Deputy Commissioner about 5 o'clock. On the road were met by me Rasala from Jind, another from Nabha, also the Naib Nazim of Omerghur (Wazir Ali), Patiala, who reported Maharaja been successful in capturing the greater part of the gang who attacked this place. The capture seems to have been easily effected, no one being hurt. The Kukas were probably knocked up and dispirited. The Nazim stated that some 30 men were wounded; but one wounded Kuka was left behind. There were seven killed.

10 o'clock, a.m. Have just returned with Deputy Commissioner from inspecting the city and scene of action. The gang appeared to have met with little or no difficulty in entering the city than the broken-down wall, and no opposition until they reached the palace square; here they were met by the Thanedar and a few men and at this place there was the only real fighting, about 15 being killed on both sides. The Thanedar is said to have killed three men before he succumbed to a sword wound in the head. The Kukas evidently hoped to get at the treasury, but luckily broke open the wrong door, finding only a few papers and missals in the place. They took some arms out of a kothi, but not finding any ammunition, threw them down a well. The Kotla people were evidently unprepared. This they say, was in consequence of the short notice they received of the meditated attack (the reports from their wakil only reaching Kotla at eight p.m. on the 14th, the men having been informed by me at 10 o'clock the previous night, 13th).

17th, 12 o'clock. Just starting to assist in bringing in the Kukas who are reported to be about six miles off. Roads very bad, and cattle knocked up.

3 o'clock. Returned to Kotla; met the party about seven miles off; collected fresh cattle for the hackeries, now about three miles off. Both Hira Singh and Lehna Singh, the leaders, taken. They are generally well-dressed and well-to-do men; but have the appearance of bold, determined-looking fellows. Hira Singh told Deputy Superintendent of Police that the whole band was taken. Several of them were exceedingly abusive, and declaring they would have no government but their own, &c. &c.

7 o'clock. Just returned from the execution; arrangements excellent; seven guns; 49 blown away, and one cut to pieces when savagely attacking the Deputy Commissioner.

Fortunately, as we were finishing the execution, Commissioner's letter was received directing these ruffians, up to their elbows in blood, to be tried under the extradition laws, &c.

8 p.m.-Kahan Singh, Suba, has just been brought in from Mulloopoor by party of Nabha cavalry (a village, five koss from this), by order of Deputy Commissioner. This man is a most influential Suba and leading man amongst the Kukas and attendant and confidential adviser of Ram Singh's.

(Signed)

E. Perkins, Lieut-Colonel,

Deputy Superintendent, Police.

A report came in here this evening from Malodh that one hundred Kukas had congregated in a jungle near Khanna.

From L.H. Griffin, Esq., Officiating Secretary to the Government of the Panjab, to E.C. Bayley, Esq., c.s.i., Secretary to the Government of India (No, 24 c.); dated Delhi, the 20th January 1872.

In continuation of my letter No. 3 c. of yesterday, I am desired by the honourable the Lieutenant Governor to forward copies of letters Nos. 15 and 16 of the 17th instant, from Mr. Cowan, Deputy Commissioner, Ludhiana, reporting further on the Kukas outbreak and his proceedings connected therewith. His honour reserves further remark until the Commissioner's report is received.

From the Deputy Commissioner of Ludhiana to the Commissioner of the Ambala Division (No. 15), dated the 17th January 1872.

In reply to your telegram, the receipt of which was delayed owing to my having left Malodh just before it arrived at that place, I addressed a hurried letter to you last evening reporting

that tranquility was completely restored and that it would not be necessary for you to come to Kotla. I now continue the narrative of what has occurred.

2. I yesterday completed the inquiry in the Malodh case. Seven prisoners were placed on their trial; four of these men were wounded; they were taken re-handed. The evidence and their own admissions formed the most conclusive evidence against them. Their names are Bhagwan Singh, Giani Singh and Thamman Singh of the Patiala State, and Mehar Singh of Aliwalpur, District Jalandhar, all Kukas. There was some doubt whether the other three persons joined in the attack; they are kept to be tried on other charges. From the inquiry it appeared that on the 13th instant, at Bhaini, Hira Singh and Lehna Singh of Sakrandi in Patiala, two men who has formerly been in good circumstances, but were now poor, collected a gang of Kukas, estimated at from 60 to 100 in number. These men they seated apart from the other Kukas, who had come to visit Ram Singh, and by prayers, recitations, &c., worked them up to a state of frenzy and then, after abusing the British Government and the native states who had assisted in the Raikot murder case, called on them to revenge the death of Giani Singh, a subas who was hanged at Ludhiana a month ago, promising arms, horses, and money, if they would follow them. These two men said that arms and horses would be found at Kotla and that they would then proceed and sack Sangrur, Nabha, and Patiala, gathering weapons in they went. Ram Singh gave intimation to the Deputy Superintendent of Police, Sarfraz Khan, that this gang mediated mischief and he himself begged of them not to create disturbance at Bhaini. Whether this remonstrance was made in good faith or was a deep move on Ram Singh's part, I am unable now to say.

3. About 2 p.m., on the afternoon of the 13th instant, this gang left Bhaini in a body; they proceeded via Rampur and Pael, in

Patiala territory, without, however, resting at these places, and about 10 p.m. reached Rabbon a village in this district about 3 miles from Malodh, on the border of the Patiala State. They remained at a well distant about 400 or 500 paces from the village of Rabbon. The Deputy Superintendent of Sahnewal (Sarfraz Khan) came into Ludhiana on the night of the 13th to report the departure of the gang from Bhaini and about 11 p.m. I sent notice to the vakils of Kotla and Patiala, directing them to give warning to their respective states.

4. The Kuka gang remained in the neighborhood of Rabbon during the night of the 13th and day of the 14th. There is no evidence to show that their numbers increased after leaving Bhaini; and I am inclined to think that the greatest number together at one time did not exceed 150 men. The delay at Rabbon was probably caused by a hope that they would be joined by others or by doubts of the success of an attempt on Kotla. It probably occurred to the leaders, as they were about to start for Kotla, that it would be easy to obtain arms and horses at Malodh. It was certainly not their intention to attack Malodh when they left Bhaini.

5. The gang left Rabbon in the evening and reached Malodh as it became dark. They made the attack in the manner I have described in a previous letter. Their success at Malodh was a very poor one; they killed two men, slightly wounded the Sardar, and secured three horses, one gun, and one sword. In return they left two of their number killed and four wounded prisoners. Considering the suddenness of the attack, this result is creditable to the people of Malodh and to men of the adjoining village of Bhaini, who turned out on hearing the beat of drum, and reached Malodh before the Kukas left it, and gave valuable assistance.

6. The Kukas then proceeded to Kotla, about nine miles distant from Malodh, and appeared at Kotla on the morning of the 15th.

Intimation of the threatened attack reached the Ahalkars of this small state on the evening of the 14th and some patrols were placed round the town during the night, and the guards at the gates strengthened. On the morning of the 15th these precautions were discontinued, and the Kuka gang about 17 a.m. made a sudden attack. They made for the place and treasury, but were encountered by the Kotwal Ahmad Khan, and a few men. Ahmad Khan, who appears to have behaved with great gallantry, was killed, and in the confusion, which followed, seven other persons were killed and 15 wounded. The Kukas failed to get at the treasure, and after taking two horses and a few swords, retreated, followed by the Kotla shots fired, and many more Kukas were wounded, till both parties reached the village of Rar in the Patiala State, the Kukas carrying most of their wounded with them. At this place the Kotla officials were told by a wounded Kuka that the gang intended to return and repeat the attack on Kotla, and thought it prudent to return, after sending intimation to the officials of Sherpore in Patiala.

7. On receipt of the first intimation of the attack on Kotla and arrival of the Kukas at Rar the Naib Nazim of Sherpur rode to Rar, accompanied by three sowars. He found the village abandoned, the Jat villagers having gone off in alarm with their families, and the Kukas seated in the jungle little way from the village. The Kukas at first showed fight, advancing towards the Naib Nazim with drawn swords and shouting out abusive language, but this was mere bravado; the ruffians were completely cowed. They were hungry and tired, and had a number of wounded men with them, and after a short parley, they gave up their arms, many of the swords covered with blood, and surrendered. Sixty-eight Kukas (including a woman) were here captured who had been present at the attacks on Malodh and Kotla. Of these 29 were wounded, seven of them very severely. The prisoners were conveyed to the fort of Sherpore.

I have sent for them. The Rajas of Nabha and Jind responded with alacrity to my requisition for troops. In less than an hour after receipt of my morasilas they dispatched artillery, cavalry, and infantry to Kotla. I hope to be able to allow these troops to return this evening or to-morrow.

8. When I first heard of the attack on Kolla, the situation appeared to me to be a very grave one, and I telegraphed that troops might be sent. Two such atrocities as the attacks on Malodh and Kotla perpetrated by the same people who committed the murders at Amritsar and Raikot justified me in thinking that this was more than a dacoity. It looked like the commencement of an insurrection, and I trust I shall not be thought to have caused unnecessary alarm by my first reports.

9. It transpires that the disturbance was got up by two men, Hira Singh and Lehna Singh, residents of the village of Sukroutie in the Patiala State. These men were formerly in affluent circumstances, but have latterly become poor and desperate. They induced a number of the most ignorant of the Kuka men, who are easily excited, to join them; their sole object, in the first instance, being plunder. What the ulterior object of the leaders was it is impossible to say. One of the leaders, Lehna Singh, was captured at Rar, the other, Hira Singh, is believed to have been killed in Kotla; but the corpse has not yet been identified.

10. The losses sustained by the rebels in their short campaign of three day's duration are as follows: -

At Malodh-----2 killed, 4 wounded and taken.

At Kotla-----7 killed, 5 captured

At Rurr-----68 captured of whom 29 are wounded; whilst they have inflicted a loss of---

At Malodh -----2 killed, 2 wounded

At Kotla----- 8 killed, 15 wounded.

Total ----- 10 killed, 17 wounded

At least two-thirds of the whole gang have been killed, wounded, or captured. The remainders are being hunted like vermin and many more of them will be taken.

11. I am in hourly expectation of the arrival of the prisoners from Rar. I propose to execute at once all who were engaged in the attacks on Malodh and Kotla. I am sensible of the great responsibility. I incur in exercising an authority, which is not vested in me, but the case is an exceptional one. These men are not ordinary criminals. They are rebels having for their immediate object the acquisition of plunder and interiorly the subversion of order. It is certain that, had their first attempts been crowned with success, had they succeeded in arming themselves and providing themselves with horses and treasure, they would have been joined by all the abandoned characters in the country, and their extinction would not be effected without much trouble. By the timely preparation at Kotla the first efforts were defeated and by the active exertions of the Patiala officials, this miserable attempt at rebellion has been stamped out; but others of their stamp must be deterred from following so bad an example; and that the warning should be effectual, it must be prompt and terrible. I have every confidence then that the Government of the Panjab will approve of the immediate execution of those prisoners who have been taken red-handed.

CORRESPONDENCE RELATING TO

From L. Cowan, Esq., Officiating Deputy Commissioner of Ludhiana to the Commissioner of the Ambala Division (No. 16); dated the 17th January 1872.

In continuation of my letter to your address of this morning's

date, I have the honour to report to you that 68 rebel Kukas were brought in today from Rar. Of these, two were women, leaving 66 men; 22 of the men were wounded, most of them slightly.

2. The conduct of these prisoners was most defiant and unruly; they poured forth the most abusive language towards the Government and the chiefs of Native States. All of them admitted that they were present at the attacks on Malodh and Kotla and gloried in the act; they said they had attacked Malodh for the purpose of procuring arms and Kotla because their religion required them to slay the killer of cows.

3. The two women were residents of the Patiala State, and I made them over to the officer commanding the Patiala troops for conveyance to Patiala. Forty-nine of the rebels were blown away from guns this afternoon on the parade ground of the Kotla chief in the presence of troops of the Patiala, Nabha, Jind and Kotla States. It was my intention to have had 50 men blow away and to have sent the remaining 16 rebels to Malodh to be executed there tomorrow, but one man escaped from the guards and made a furious attack on me, seizing me by the bread and endeavoring to strangle me; and as he was a very powerful man, I had considerable difficulty in releasing myself. He then made a most savage attack on some officers of the Native States who were standing near me. These officers drew their swords and cut him down.

4. This was a most painful duty and it was made inexpressibly painful to me by receipt of your letter of today's date, received as the last batch was being lashed to the guns, desiring me to make an inquiry and forward the proceedings to you for punishment (sic). In carrying out execution of my own sentence I acted on the honest and sincere conviction that I was acting in the best interests of Government. A rebellion, which might have attained large dimensions, was nipped in the bud, and a

terrible and prompt punishment was in my opinion absolutely necessary to prevent the recurrence of similar rising.

5. I most sincerely trust that you will, after this explanation, approve of what I have done. I am placed in a most difficult position here, with reference to the 16 rebels who have remained unpunished. It was, as I have stated above, my intension to have sent them for execution to Malodh tomorrow, and I earnestly beg that you will sanction my carrying out sentence at once. I believe that these executions have had, and will have, a most happy effect. The demeanour of the people, their shouts and wherever I go, all show this.

6. I purpose dismissing tomorrow morning to their respective states to troops assembled here and shall remain here till noon tomorrow in the hope of receiving an order from you sanctioning my carrying out sentence on the remaining Kuka rebels. Should you not accord this sanction, I will make inquiry and forward to you for orders.

P.S.-Among the rebels blown away were Hira Singh and Lehna Singh, the leaders of the gang, and instigators of the outbreak.

P.S. 2nd-Just as I am closing this letter, the party of cavalry I sent in pursuit of the Kukas said to be concealed in the village of Mallupur, which I communicated to you in my demi-official of today's date, has returned bringing with it Kahn Singh, an influential subas, who resides at Bhaini and three other Kukas. I reserve inquiry into these men's cases until tomorrow, as I have been extremely harassed all day.

(Home Department-Judicial-No.122)

From E.C. Bayley, Esq., c.s.i., Secretary to the Government of India, to the Secretary to the Government of the Panjab.

Sir, Fort William, 24 January 1872.

I am directed to acknowledge your letters, quoted in the margin, reporting on the recent attack by fanatical Kukas on Malodh and Maler Kotla. The Governor General has already, by telegraph, approved generally of the disturbance, and in arresting and removing from the neighbourhood Ram Singh and his most influential Subas. Warrants for their detention, under Regulation III. Of 1818, have been already sent to the magistrate of Allahabad.

2. The local officers acted with promptitude and vigour on the first intelligence of the disturbance, but the subsequent proceedings seem to require serious notice. His Honour states that "he regrets the course taken by the Deputy Commissioner of Ludhiana, Mr. Cowan, in summarily executing the Kukas insurgents, captured in the Patiala territory." The Government of India fully shares in the regret expressed by his Honour and is of opinion that the papers submitted show nothing to justify the course taken.

3. Under these circumstances his Excellency in Council feels constrained to request that you will suspend Mr. Cowan until further orders and awaits with anxiety such explanations as Mr. Cowan may have to offer and the expression of his Honor opinion on the whole subject.

4. The loyal, prompt and efficient assistance given by the troops and officers of the Patiala, Nabha and Jind's States, no doubt, contributed materially to the suppression of disturbances and to prevent their spread. I am to express his Excellency's entire satisfaction with their conduct.

Telegram, dated the 22nd January 1872.

From Secretary, Panjab Government, Delhi, to Home Secretary, Calcutta.

A report was received yesterday that the telegraph wire was

cut between Ludhiana and Ferozpur and that Kukas were marching on the latter place. No truth in the report.

(No. 12 of 1872.)

From Government of India to Her Majesty's Secretary of State for India.

My Lord Duke,
Fort William, 2 February 1872

In continuation of our Dispatch No. 9, dated the 2nd instant, we transmit for your Grace's information copy of further letters and telegrams received from the Panjab Government, reporting proceedings connected with the recent outrages committed by Kukas at Malodh and Maler Kotla.

Telegram, dated the 21st January 1872.

From Secretary, Panjab Government, Delhi, to Home Secretary, Calcutta.

Report of Kukas demonstration in Rahon unfounded.

Telegram, dated the 23rd January 1872.

From Secretary, Panjab Government, Delhi, to Home Secretary, Calcutta.

Everything up to this time has remained perfectly quiet in Ludhiana and elsewhere.

(Confidential)

From L.H. Griffin, Esq., Officiating Secretary to the Government of the Panjab, to E.C. Bayley, Esq., c.s.i., Secretary to the Government of India (No. 28 c.); dated Camp Delhi, the 22nd January 1872.

In continuation of my letter, NO. 24 c. of the 20th current, I am desired by the Honourable the Lieutenant Governor to forward

copies of letters from the Commissioner of Ambala, dated 19th and 20th January, reporting proceedings in connection with the Kukas outbreak. Copy of the Deputy Commissioner's letters alluded to in the marginal note of the Commissioner's letter of the 19th is also sent. Copies of the other enclosures have already been furnished with my letter of the 20th instant.

From T.D. Forsyth, Esq., c.b., Commissioner of Ambala, to the Secretary to the Government of the Panjab; dated Camp Kotla, the 19th January 1872.

In continuation of my letter dated 17th instant, forwarding reports from the Deputy Commissioner, Ludhiana, I have now the honour to forward copies of further letters received from him and to submit a report of proceedings.

2. Up to the time of dispatching the letter just referred to no reliable intelligence of the whereabouts of Ram Singh had been received. It appeared of his followers from his village to commit some outrage, but it had been known and reported verbally by me to you some time before that a body of 200 Kukas were to assemble at Bhaini, Ram Singh's village, at the Lohari Festival, which occurred on the 13th current and that it was given out that there was to be some outbreak soon after. The correctness of these reports may have been doubted at the time as very vague, but read by the light of subsequent events, there is, I think, little reason to question their accuracy and for Ram Singh to wait till the party had gone off and then to report proceedings and to declare himself without any influence was a ruse on his part to try and escape the responsibility of the acts of his followers.

3. The Deputy Commissioner ordered Ram Singh to meet him at Malodh, which he did; but as Mr. Cowan was obliged to go on at once to Kotla, he sent Ram Singh back to his home. Intimation of this was not however sent to me, and we had

some trouble to find out where Ram Singh was. At 4 p.m., on the 17th, I dispatched Colonel Baillie with a party of Colonel Gough's cavalry to search for Ram Singh and bring him in. I had previously ordered parwanas to be sent in different direction requesting his attendance at once at Ludhiana. Later in the evening I heard that he had reached Bhaini, where, I was informed, 200 Kukas were assembled. Mr. Hatchell, Assistant District Superintendent, who had passed through that village on the night of the 15th, had reported to me that there were no Kukas there beyond the ordinary inhabitants, these men must therefore, have either concealed their presence from the police officer or had assembled after his departure. I had instructed Captain Menzies to go out there at daybreak, but Colonel Baillie's subsequent movements induced me to make over the duty to him, a report of which will be forwarded shortly.

4. Ram Singh came into Ludhiana with four followers noted in the margin in obedience to the order I had issued. He arrived at 1 a.m. on the morning of the 18th, when I interrogated him and got answers the substance of which I sent in an official letter to you by the morning train of the 18th (yesterday). For reasons given in that letter, I decided to deport Ram Singh at once and further information confirms my opinion as to the correctness of the step taken, although the particular outrage with which we are now concerned has been promptly dealt with and we are able to report perfect tranquility. We have no assurance that this tranquility will not be disturbed at any moment. The assemblage Kukas in the village of Bhaini the appearance of small bodies of Kukas in villages near here, a few of whom have been apprehended and the report received from Jalandhar of a body of Kukas from Amritsar having raised their flag at Rahon, are a sufficient indication that there is some intention of a general rising and the slightest failure on the part of the authorities to deal promptly with the mauranders now caught would be a signal to concealed Parties to rush forward.

5. As I was traveling by rail to Ludhiana on the 16th, I saw Kukas at three of the railway stations and heard that others had been passing up the line. The Jind Munshi reports that a Kuka in that state was observed to sell his land and throw away his property, declaring his intention of going off at once to join his Guru.

6. It is with this impression on my mind that I now allude to Mr. Cowan's proceedings at Kotla, which are fully detailed in his report. I had demi-officially and officially urged him to be careful to do nothing which could detract from the complete success of his energetic efforts to quell this disturbance. I pointed out that whilst offences committed against persons or property in British territory could only be tried according to regular form and sentences only be carried into executing after confirmation by the chief court, the procedure in cases of crime committed in foreign states such as Maler Kotla admitted of more prompt action, inasmuch as sentence could be carried out on the confirmation of the Commissioner.

7. Before, however, my official letter had reached him, Mr. Cowan had disposed of 50 prisoners in a summary manner. There was no question as to their guilt, for they were all apprehended red-handed; and unquestionably had the proceedings been sent up to me, I should have confirmed the sentence of death. Whilst then I regret the informality of the procedure, I consider myself justified now in confirming the sentence. There being no arrangements for hanging so many men at Kotla and considering the circumstances of the case and occurring in a native state, these men were executed by Mr. Cowan by being blown from a gun; a proceeding warranted by former precedents when large numbers of rebels were thus disposed of in 1857.

8. Having dispatched Ram Singh yesterday morning I rode out to Kotla, accompanied by Colonel Gough and party of his

cavalry and the remaining 16 prisoners were regularly tried by Mr. Cowan, acting on behalf of and sitting on the bench with the Nazim and Tehsildar of the Maler Kotla State. The proceedings were formally recorded; and the sentence of death passed by them, having received my sanction was carried into execution in the presence of the European officers and officials of Maler Kotla and the adjoining States.

9. There still remain seven persons implicated in the attack on Malodh, four of whom were captured at the time by the Sardar's people. This offence having been committed in British territory, the criminals will be regularly tried before the sessions today at Malodh and sentence will be carried out after the confirmation by the chief court in the usual manner at Ludhiana.

10. In the evening of yesterday I distributed the following rewards from the Maler Kotla coffers to the persons prominently mentioned by Mr. Cowan as having distinguished themselves in apprehending the Kukas who were concerned in the attack on the Kotla Palace and Treasury and I gave instructions to the Nazim of that Principality to make proper provision for the family of the Kotwal, Ahmed Ali and the others who gallantly defended at the expense of their lives, the property of their state:-

Niaz Ali, Naib Nazim	1,000 Rs.
Panjab Singh, Darbari	300 Rs.
Jaymul Singh, who gave the information	200 Rs.
Mastar Ali	100 Rs.
Uttam Singh	50 Rs.
Ratan Singh	50 Rs.
Gulab Singh.....	50 Rs.
Partab Singh	50 Rs.

11. Letters of thanks on behalf of the Maler Kotla State were at the same time addressed by me to the Maharaja of Patiala and Rajas of Jind and Nabha and delivered in Durbar to the Vakils of the Rajas.

From L.Cowan, Esq., dated Kotla the 19th January, alluded to in Marginal Note above.

Yesterday Narain Singh, Vakil of Sardar Haqiqat Singh of Ber (one of the Malodh villages), reported to me the receipt of information from his master that a party of 50 Kukas passed through the village of Ber yesterday at noon and in reply in inquiries said that they were going to Kotla and that about two hours later another party of Kukas said to be 40 or 50 strong were seen seated in the grass preserve of the Sardar and also said they were going to Kotla.

2. Anup Singh, a Sowar in the service of the Malodh Sardar was dispatched from Kotla yesterday about half-past six p.m. with a letter for his master. On this side of Sarond a village three Kos from Kotla. Anup Singh was relieved at Sarond and immediately returned to Kotla and when about one and a half kos from Kotla, overtook a party, probably the same, but increased in numbers to about 20, still marching parallel to, but some way off the road in the direction of Kotla.

I sent out a party of Patiala cavalry with Anup Singh as a guide in search of these gangs, but they returned unsuccessful.

3. Since the outrage at Kotla several reports have been received of parties of Kukas from a distance having approached close to Kotla and then disappeared.

From T.D. Forsyth, Esq., c.b., Commissioner of Ambala to the Secretary to the Government of the Punjab; dated the 20th January 1872.

In continuation of my letter of 19th instant, I have the honour to

report that I proceeded yesterday to Malodh and held sessions there for the trial of the prisoners who had been captured and who were concerned in the case of dacoity with murder. Four men were put on their trial and convicted on their own confession and sentenced to death. But it is not my intention to put this sentence into execution, because a sufficient example has been made and all four of these men are most severely wounded and two have broken limbs. In a few I purpose to commute the sentence to transportation for life.

2. I have received a report from Captain Menzies, Deputy Inspector General that Captain Baillie and the Subas named in the margin. Four of these Subas viz., the first four, were sent into Ludhiana for dispatch to Allahabad. The remainder are kept for the present in Ludhiana pending further orders; one hundred twenty two of the Kukas have been sent to their homes; the remaining fifty having no home and no ostensible means of living, being, in fact, a dangerous class of this sect, who having sold all that they possessed hold themselves in readiness to perform any act that their leaders may order, will be called on to furnish in security, or, in default, will be incarcerated for a period of two years according to law.

I have ordered a small police post to be established at Bhaini for the present.

3. At Kotla, towards which place parties of Kukas have been flocking from all parts during this last week but have suddenly disappeared when within a mile or two of the place, there is a considerable apprehension of a second attack. I have therefore ordered the Nazim to raise hundred men, well armed for the defense of the palace.

4. In my letter announcing the deportation of Ram Singh, I mentioned that he had reported the intention of his followers to the police; this was said by me on the authority of the district

officers; but, on examining the police officer yesterday, I find that the case is not nearly so favourable to Ram Singh. An assemblage of (it is said by him) one thousand Kukas were at Bhaini on the 11th and 12th January. During these two days there was of course free inter-communication amongst the leaders and their followers. On the 13th the Deputy Inspector heard that a body of hundred men "Mastanas" i.e., who had worked themselves into frenzied excitement and a state of desperation had separated themselves from the rest and were preparing to start for Kotla. Hearing this, the Deputy Inspector went to Ram Singh and asked what it all meant; Ram Singh merely replied that they were "Mastanas" and had passed beyond his control. The Deputy Inspector asked for a list of their names; Ram Singh only gave 13 names and said he knew nothing about the rest, though their number by all accounts was not less than 100. The Deputy Inspector then called on Ram Singh to bid them go to their homes quietly, whereupon Ram Singh went to them, putting a handkerchief round his neck and begging them to go away and not get him into row.

5. The events of the past week and of the past year, show that the Kukas are a dangerous sect over whom their leaders and the Subas have no influence for good and it is advisable for the peace of the country that they should be prohibited from moving about the country inculcating their doctrines and that gatherings of Kukas in larger numbers than ten or twelve should not be allowed.

6. It is also advisable not to leave Ludhiana entirely without of some kind for the present until the movements of the Kuka sect cease to be troublesome.

7. I beg to bring to notice the energetic exertions of Mr. Cowan, Deputy Commissioner, whose prompt action has put a stop to what threatened to be a serious outbreak. I regret exceedingly that his summary executions without trial should detract from

the good service he has rendered but I trust that the circumstances in which he was placed may be taken into consideration. Immediately on receipt of my orders, he suspended proceedings and proceeded to try in proper form the remaining prisoners. Colonel Perkins has accompanied Mr. Cowan throughout the whole time and has been most energetic.

8. Colonel Baillie and Captain Menzies, Deputy Inspectors General have rendered valuable assistance. I have already alluded to the prompt assistance by the Maharaja of Patiala and the Rajas of Jind and Nabha, whose services I trust may be acknowledged by his honour the Lieutenant Governor.

9. There being no longer any necessity for the presence of troops at Ludhiana, I recommend that the detachment of the 54th and artillery to sent back to Jalandhar. Colonel Gough's party of one hundred Sowars and the Gorkha Regiment might be allowed to remain for the present.

10. I now return to Ambala.

P.S.-Since writing this report, I have received your telegram directing me to stop all summary execution without the Lieutenant Governor's express orders. It will be seen that I had already done so and I may here state that, on my arrival at Kotla, I found 30 men apprehended; of these sixteen were put on their trial for being more or less prominent in the attack on Kotla and exercising the powers invested in the Commissioner, I sentenced them to death; of the remaining fourteen, four have since been sentenced to transportation for life and the remainder have not been punished.

From: L.H. Griffin, Esq., Officiating Secretary to the Government of the Panjab to E.C. Bayley, Esq., c.s.i. Secretary to the Government of India (No. 36 c.); dated Camp Gungatole the 26th January 1872.

I am directed to forward, for the information of his Excellency

the Viceroy and Governor General in Council, a letter from the Commissioner of the Ambala Division No. 27, dated 22nd January, with enclosure on the subject of the action taken by Mr. Cowan, Deputy Commissioner of Ludhiana on the occasion of the late Kukas outbreak.

2. His honour the Lieutenant Governor is of opinion that Mr. Cowan acted with great promptitude and energy in calling out the Jind and Nabha Horse and going himself at once to Maler Kotla to aid in the defense of that place and the suppression of the disturbance.

3. As regards the executions ordered and carried out by him in concert with the Maler Kotla authorities, the Lieutenant Governor believes that he acted as he thought for the best and under a strong sense of his personal responsibility for the adoption of the promptest measures for securing the peace of the country and his honour considers that much allowance must be made for the difficult position in which he was placed and for his being unable to judge certainly to how many places the Kuka Outbreak extended and in what degree it might gain head by delay in the infliction of punishment.

4. But considering that the Commissioner was close at hand and that many of the prisoners taken were wounded and all greatly dispirited the Lieutenant Governor is of opinion that Mr. Cowan would have shown more coolness and discretion had he obtained the previous sanction of his proceedings by superior authority. It is clear, however, that this sanction would not have been withheld, as, on his arrival, the Commissioner sentenced 16 more prisoners to death after trial and in doing so, it may be held that he did not exceed the authority vested in him as the ex-office Political Agent for the Maler Kotla State.

5. It may no doubt be reasonably questioned whether so many

capital executions were, even under circumstances so trying, necessary or expedient and whether an example equally deterrent might not have been made by a less indiscriminate sentence. The Lieutenant Governor himself inclines to this opinion but on the other hand it is certain that all the prisoners executed were, even under the ordinary criminal law of the British territory, guilty of capital offences, whilst the position and antecedents of the Maler Kotla State, as a solitary Mahomedan principality, constantly exposed of security their repression by the severest punishment. It is said that the Kotwal returned to the town apprehensive of a repeated attack and both the Commissioner and Deputy Commissioner allude to parties of Kukas flocking round Maler Kotla and creating fresh alarms. The authorities on the spot could alone correctly judge of the tendency of such demonstrations and in his honour's opinion the action taken in good faith by them must be supported.

6. Adverting to paragraph 11 of the Commissioner's letter from which it might erroneously be inferred that the Lieutenant Governor had approved of the numerous executions ordered by Mr. Cowan, copies of the telegrams in question are herewith submitted. Writing in total ignorance of the large number of executions eventually carried out the Lieutenant Governor, whilst supporting the Deputy Commissioner's precipitancy, was desirous at the same time of evincing his appreciation of the zeal and energy shown by him in following up the case.

From T.D. Forsyth, Esq., c.b., Commissioner, Ambala Division to the Secretary to the Government of the Punjab (No., 27); dated the 22nd January 1872.

I have the honour to forward the explanation called for from Mr. Cowan, Deputy Commissioner in your No. 22 c., dated 18th instant.

2. I also forward copy of the instructions, which I sent to Mr. Cowan and refer you to my telegram to you, copy sent herewith and your reply and to my official letter of 18th instant to Mr. Cowan copy of which I forwarded to you some days ago.

3. In considering Mr. Cowan's proceedings it is necessary to distinguish between acts done in British territory and those done in Native states to which our penal and procedure codes do not apply.

4. The procedure in subordinate Native States, such as Kotla is for the head of the State to prepare a case of murder by taking evidence of witnesses, defense of accused & c., then to pass sentence and forward the case for sanction of the Commissioner of the Division.

5. As his Honour is aware, I from the outset deprecated any departure from the regular course and sent out instructions at once to Mr. Cowan to this effect. They unfortunately did not arrive until he had disposed of 50 men.

6. I regret exceedingly this hasty action on Mr. Cowan's part. His reason for such is that he felt it necessary to stamp out the incipient rebellion by a swift and terrible punishment. That his prompt and vigorous action had this effect is I think undoubted.

7. A party of 100 men, who had devoted themselves to death to carry out the plans of their leader, left the village of their Guru with the intention of seizing the defenseless State of Maler Kotla and possessing themselves of arms and treasure to be distributed to the rest of their sect who were to flock round Kotla from all sides.

8. As they passed Malodh a sudden impulse prompted them to attack that place. Had all the men been caught at Malodh all would have been liable under section 396. Indian Penal Code, to sentence of death; but probably it would have been

considered that all were not equally guilty, as all might not have clearly apprehended the nature of the expedition on which they had embarked. Moreover, the British Government is strong enough to maintain order without having recourse to wholesale executions in order to create a deterrent effect.

9. The case, however, was very different when the same party passed on to Kotla. Not one of these men could plead ignorance of the object in pursuit. They knew that blood rested on the head of the whole gang and that they would probably shed more blood. No mercy then could be expected by them at the hand of the state they were to attack. No could the Maler Kotla State afford to show any signs of weakness. They had been attacked once and unless the assailants were thoroughly cowed, they might be attacked again. It was in fact from fear of a second attack by a larger body of Kukas that the Nazim returned so suddenly to Kotla from Rar, whither he had followed the gang.

10. It appeared to me then only right that a severe and prompt example should be made and I was prepared to confirm the sentence of death against all those proved on trial to have been actually engaged in the attack on Kotla. I should certainly have exempted from capital punishment those who had been severely wounded and their number was nearly 20, but all the rest I should have condemned to death and in fact did condemn 16 men, after fair trial.

11. Mr. Cowan's action placed me in an embarrassing position. When I first received his report I was under the impression that he had conducted the proceedings according to the custom in Native states and had merely usurped my power of sanction. It seemed to me an unworthy act to suddenly disown the over-zealous proceedings of an officer to whom the Lieutenant Government had just sent a telegram applauding his energy and zeal with reference to my own suggestion to moderate that zeal.

12. I therefore determined to confirm Mr. Cowan's acts so far as regards his usurpation of the Commissioner's authority. As there are no records of trial, none being held by him, I am unable to do otherwise than accept Mr. Cowan's assurances that all the men were actually present at the attack on Kotla and if so all were equally liable to capital punishment though as regards those severely wounded, execution ought to have been stayed.

13. Had I at once disavowed Mr. Cowan's acts and mitigated the sentence on those who were subsequently regularly tried and convicted, after the proceedings had been sent to me, at a time too when bands of Kukas were flocking to Kotla, to join the advance party, leniency on my part might have been mistaken for weakness. I therefore allowed the full sentence to be executed as regards those Kotla assailants whose active complicity was legally established. But I took occasion on the trial of the men concerned in the Malodh murders, to mitigate the severity of the former proceedings and a telegram received the next day from you conveying the Lieutenant Governor's orders confirmed the judgment I had arrived at.

14. Whilst lamenting the hasty and irregular action of Mr. Cowan, I am bound to express my conviction that the very prompt and terrible measures taken by him crushed in its birth a very serious outbreak and I trust the excellent service he has rendered may weigh against the irregularity and severity of procedure.

From L. Cowan, Esq., Officiating Deputy Commissioner, Ludhiana to T.D. Forsyth, Esq., c.b., Commissioner, Ambala Division; dated 21st January 1872.

I have the honour to acknowledge receipt of letter from the Secretary to Government, Panjab to your address, No. 22 c., dated 18th instant, forwarded to me by your precept of yesterday's date and to reply as follows.

2. When I reached Kotla the situation was very grave. The greatest alarm and consternation prevailed throughout this part of the country. Fields were deserted and all ordinary occupations abandoned by the people of the village between Ludhiana and Kotla. The men were collected in crowds in the gateways of the villages and the women on the housetops, eager for information, which reached them in an exaggerated form.

3. On reaching Kotla I found that the rebel gang had been captured a few miles off in the Patiala State. I received information that small parties of Kukas were flocking towards Kotla from distant parts and I learned that the troops of the Kotla state had given up the pursuit of the rebels and returned to Kotla to protect the town from another expected attack. As the contingents from adjoining Native states had arrived, or were close at hand, I felt confident that in the presence of such a force and with the arrangements I hurriedly made there was no fear of an immediate attack on Kotla or any place in its neighborhood; but that a terrible example was needed to put a stop at once to what was assuming the proportions of a rebellion and to prevent a recurrence of similar outrages at a future time, I therefore determined to execute near the scene of their crime a number of the rebels who were taken red-handed and all of whom confessed their crime and to execute the remainder at Malodh. I arrived at this determination after long and painful thought. I was sensible of the great responsibility I was incurring but I acted in the honest conviction that what I did was in the best interests of Government and of society.

4. The later information received confirms the belief that a serious outbreak was intended and that matters were precipitated by the hasty action of this fanatical party before the arrangements of the leaders were fully matured. For several

days after the attack parties of Kukas arrived from all parts and on hearing of the fate of their brethren instantly dispersed and disappeared. Had the large number of rebels captured been detained in custody to await a formal trial, there is not the slightest doubt that similar atrocities would have been committed in other parts and that a state of anarchy would have followed.

5. With this explanation I leave myself in the hands of the Government. I acted from no vain motive or from cruelty or a desire to display authority. It was my sincere conviction that the punishment, terrible as it was, was imperatively necessary to prevent. One or two petty successes in other parts by other parties of the Kukas would have caused great numbers to flock to rebel standards, and the difficulties of Government would have been increased. I most conscientiously believe that the execution at Kotla prevented a much more serious rising.

Demi-Official Letter of Instructions dated the 17th January 1872, referred to in Para. 2 of Mr. Forsyth's Letter.

You have done admirably but for heaven's sake don't let the whole thing fall short of perfect success by any hasty act.

By dealing with the men now caught culprits in the Kotla territory, they can be hanged legally, without the delay of sending the case to the Chief Court, by attending to the form usual in all such cases, i.e., sending up the proceedings to me and to save time and trouble, I am going out to Kotla as soon as I have disposed of Ram Singh. But if you hang (yourself) these men, i.e., the men caught at Malodh, you will fall short of perfect success. A delay of 12 hours cannot produce harm, whereas illegal action may cause trouble. I only wait for Ram Singh to come in tomorrow morning and I shall be out at once.

Copies of the Telegrams referred in Para. 6 of Secretary's Letter transmitting these Papers.

(1)

From Deputy Commissioner Secretary, Malodh via Ludhiana, whence it was dispatched on the 16th at 21 h. 15 m.

Against four of the Malodh murders the proof is convincing. Allow me to execute them on the spot. It is of importance that the punishment should be prompt. I go on Kotla 16th January.

(2)

Referring to Cowan's telegram asking permission to execute at once four men. Since then we have got 70 men. I am on the spot and can dispose of the cases according to form and without delay. Exceptional action not necessary and would increase excitement better allayed.

(3)

Reply sent on 17th from Secretary, Government to Commissioner at Ludhiana.

With reference to your telegram regarding execution of rebels, Lieutenant Governor concurs with you. He, however, approves Mr. Cowan's energy and zeal.

(4)

First Telegram reporting Execution of Men was dispatched by Commissioner, from Ludhiana on 18th at 7 h. 16 m.

Forty-nine Kukas blown from guns at Kotla. One cut to pieces when savagely attacking Deputy Commissioner.

(No. 14 of 1872)

From Government of India to her Majesty's Secretary of State for India.

My Lord Duke,
Fort William, 16 February 1872.

In continuation of our Dispatch No. 12 dated the 2nd instant, we transmit for your Grace's information a copy of the further Papers noted in the annexed list, relating to the recent disturbances committed by Kukas in the Punjab.

Telegram, dated the 29th January 1872.

From Secretary, Punjab Government, Camp via Delhi to Home Secretary, Calcutta.

Your letter No.122 dated 24th of January. The Lieutenant Governor requests that action, in accordance with the 14th paragraph of your letter, may be delayed until receipt of my letter of the 26th instant, containing his Honor's views and Deputy Commissioner's explanation. He observes that the conduct of the Deputy Commissioner can hardly be considered apart from that of the Commissioner of the Division.

Telegram, dated the 4th February 1872.

From Home Secretary, Calcutta to Secretary, Punjab Government, Camp via Ambala.

Your telegram dated 129th January and letter dated 26th. Fresh papers do not alter the opinion stated in paragraph 2 of letter of 24th January and Government of India requests Lieutenant Governor to act in accordance with paragraph 3 of same letter.

(Home Department-Judicial-No. 289)

From E.C. Bayley, Esq., c.s.i., Secretary to the Government of India to the Secretary to the Government of the Panjab.

Sir, Fort William, 8 February 1872.

I am to acknowledge your telegram of the 29th ultimo and your letters noted on the margin all having relation to the Kuka outbreak. The Governor General in Council has considered these papers with anxious attention and he wishes, before

passing final orders on the subject, to direct your attention to the points which appear specially to require explanation.

2. His Excellency in Council agrees with his Honor's opinion, expressed in his letter of 26th January as to Mr. Cowan's promptitude and energy and that some allowance must be made for the difficult position in which he was placed; but he feels that nothing short of immediate urgent necessity could justify such a measure as the summary execution of 49 persons and that in an exceptional and highly objectionable manner.

3. The papers at present before his Excellency do not appear to him to show the existence of any such immediate urgent necessity. The following are Mr. Cowan's own statements on the subject. In his letter to Mr. Forsyth of the 16th January, he says:-

"The gang of rebels, for no other name will adequately characterise them, never numbered more than 125. Of these there were at Malodh, two killed, four captured; at Kotla, 8 killed, wounded. Of those wounded, 25 or 26 escaped at the time, but 68, including 27 wounded, have been captured in the Patiala State, at Rar, a village 12 miles from this. The entire gang has thus been nearly destroyed. I purpose blowing away from guns or hanging the prisoners tomorrow morning at daybreak."

"Their offence is not an ordinary one. They have not committed mere murder and dacoity; they are open rebels offering contumacious resistance to constituted authority, and to prevent the spreading of the disease, it is absolutely necessary that repressive measures should be prompt and stern. I am sensible of the great responsibility I incur; but I am satisfied that I act for the best and that this incipient insurrection must be stamped out at once."

4. In this letter (No. 15) of the 17th January also to Mr. Forsyth, he relates the circumstances of the arrest of prisoners. He

says that 68 of them, of whom 29 were wounded (seven very severely), surrendered to the Naib Nazim of Sherpur and three native cavalry and that the party, which originally consisted of not more than 125 men, had before that time lost nine persons killed and nine prisoners. He adds, "At least two-thirds of the whole gang have been killed, wounded, or captured. The remainder are being hunted like vermin and many more of them will be taken."

5. In the same letter he remarks that in less than an hour after the receipt of his letters, the Rajas of Nabha and Jind "dispatched artillery, cavalry and infantry to Kotla." He also makes the following remark; "It is certain that had their first attempts been crowned with success had they would have been joined by all the abandoned characters in the country and their extinction would not be effected without much trouble. By the timely preparations at Kotla, the first efforts were defeated and by the active exertions of the Patiala officials this miserable attempt at rebellion has been stamped out." He adds, however, "but others of their stamp must be deterred from following so bad an example and that the warning should be effectual, it must be prompt and terrible."

6. In his letter of January 21st, he says; "As the contingents from adjoining native States had arrived or were close at hand, I felt confident that in the presence of such a force and with the arrangements I hurriedly made there was no fear of an immediate attack on Kotla or any place in its neighborhood; but that a terrible example was needed to put a stop at once to what was assuming the proportions of a rebellion."

7. These statements show that no immediate danger was to be apprehended; that if the crime was an attempt at insurrection it had failed; that the insurgents were "completely cowed," and were nearly all made prisoners, many of them being wounded as well; that the danger which might have arisen, if the fort had

been taken had been averted; and that ample military force for the maintenance of order was at Mr. Cowan's disposal.

8. Mr. Forsyth's letter of the 19th and its enclosure, no doubt, show that several small bodies of Kukas were observed on the 18th January (the day after the execution) in the neighborhood of Kotla; but the conduct of these persons on the 18th could not have had anything to do with Mr. Cowan's act from the first.

9. The impression which the papers leave on his Excellency in Council is, that Mr. Cowan ordered the execution, not under the pressure of immediate urgent necessity, but because he thought that it might possibly have the effect of preventing an insurrection of a more general kind.

10. In his Excellency's opinion, a general apprehension of this sort is not enough to justify what was done. Nothing could justify it except the presence of immediate urgent necessity and of this his Excellency has no evidence whatever in the papers before him.

11. The apprehension that a general insurrection was imminent and could be averted by the means taken and not otherwise might have the effect of excusing Mr. Cowan to a greater or less extent, if it rested upon reasonable grounds, but the papers disclose only slight, if any grounds for such an apprehension. Upon this subject what Mr. Cowan has to show's is some ground for thinking that when "this miserable attempt at rebellion," as he calls it, "had been stamped out," a summary execution would and that punishment in the common course of law would not, other persons from rebelling.

13. With regard to Mr. Forsyth's proceedings, they would appear to have been legal; but his Excellency in Council fails to perceive the necessity for such extreme and indiscriminate severity as Mr. Forsyth displayed.

14. His Excellency in Council awaits the explanations of the officers concerned upon these points, together with an expression of his Honor's views upon the whole matter and will reserve final orders on the subject till they have been received and fully considered. Meanwhile as you have been already informed by telegraph, his Excellency in Council thinks it necessary to maintain the instructions in paragraph 3 of my letter, No. 122, dated 24th ultimo, that Mr. Cowan be suspended from office.

(No. 17 of 1872)

From Government of India to her Majesty's Secretary of State for India.

My Lord Duke,

Fort William, 15 March 1872.

In continuation of our Dispatch No. 14, dated the 16th ultimo, we transmit, for your Grace's information a copy of the correspondence noted in the margin, showing that we have deemed it expedient to remove Ram Singh, the Kuka leader from Allahabad and to order his detention in safe custody to British Burmah.

2. We await the reply of the Lieutenant Governor of the Panjab to our letter, No. 472, before determining on the course to be pursued with respect to the other State prisoners named on the margin of the 3rd paragraph of that letter.

(No. 28 of 1872)

From Government of India to her Majesty's Secretary of State for India.

My Lord Duke, Fort William, 2 May 1872.

In continuation of our Dispatches noted on the margin, we

transmit for your Grace's information, copy of further papers, noted in the annexed list, relating to the recent disturbances by Kukas at Malodh and Maler Kotla, the summary execution of the Kuka prisoners at the latter place and the conduct of Mr. Cowan, Deputy Commissioner of the Ludhiana District and Mr. Forsyth, Commissioner of the Ambala Division in connection therewith.

2. We beg to refer to our Letter to the Panjab Government, No. 857, dated the 30th ultimo and to the Memorandum mentioned in the 2nd paragraph thereof, for full details of the circumstances of this painful case and of the grounds on which we have determined to remove Mr. Cowan from the service and to transfer Mr. Forsyth from his present appointment in the Panjab to a position in another Province in which he will not have to superintend the Judicial proceedings of a Native State. We have also recorded our opinion that Mr. Forsyth should not in future be employed on similar duty.

3. In directing Mr. Cowan's removal from the service, we have done so with deep regret, both on account of his previous good character and conduct and because he acted with promptitude in the first instance in concerting measures for the repression of the Kuka movement. We propose to address your Grace in the Financial Department, requesting that Mr. Cowan may be admitted to the benefit of a pension.

From *L.P. Griffin*, Esq., Officiating Secretary to the Government of the Panjab to *E.C. Bayley*, Esq., c.s.i., Secretary to the Government of India (No. 59 c.); dated Camp Karnal, 7th February 1872.

4. The attacks on Malodh and Maler Kotla, following so immediately one after the other, decided his Honour the Lieutenant Governor to deport Ram Singh and his most prominent Subas from the Panjab and the information which

has since been received and forwarded to the Government of India, together with the evidence forming the enclosures to this letter, taken in connection with the proceedings at Amritsar and Raikot and the evidence recorded for several years past of the tendency of the Kuka teaching and the character of its teachers, the Lieutenant. Governor in the conviction that the deportation was necessary. His Honor is also of opinion that Ram Singh and his Subas should be confined at a distance from the scene of their intrigues at such a place and in such a manner as to render their rescue or escape or return to the Panjab, impossible.

5. The evidence against Ram Singh, previously collected has been considerably strengthened by that now obtained. His own statement recorded by Mr. Forsyth, Commissioner of Ambala, is conclusive as to his knowledge of the intentions of his followers to put a stop to the slaughter of kine by the murder of butchers, for which he admits that his permission was asked before the perpetration of the crimes at Amritsar and Raikot. Ram Singh states that he refused permission but it may be presumed that the direct evidence as to his complicity by permission or instigation is true, since his followers would not have adopted a line of conduct of which their chief had expressed disapproval and the Kuka teaching for some time past had denounced cow-killing as a practice which should be stooped.

6. It is impossible to disconnect Ram Singh from the action taken by his followers in the recent outbreak. It was from the village of Bhaini that the band departed on their expedition and it is shown that the information, which Ram Singh was at first stated to have given, not voluntarily, but after express interrogation by the Deputy Inspector. The evidence in the present proceedings is summed up by the Commissioner in the note dated the 1st February, which forms an enclosure to

the present proceedings. This evidence affords strong proof that there was an intention of an organized rising of the sect in the Panjab, although it is probable that the undisciplined eagerness of some of the Kuka precipitated matters and ensured the failure of the design. The opinion of Native gentlemen of known loyalty regarding the tendency of the teaching of Ram Singh and the objects at which the armed, was entirely in accordance with that at which the Honourable the Lieutenant Governor has arrived and his Highness the Maharaja of Patiala and other influential Native gentlemen had strongly advised the arrest and removal of Ram Singh from the country.

7. As regards the execution at Maler Kotla, his Honor would call particular attention to the evidence given in Appendix IV. It is sufficient, joined to the probabilities of the case, to prove that, had the gang of Kukas been successful at Kotla, their numbers would soon have been considerably swelled and it would be impossible to contemplate, without much anxiety and alarm, even the temporary triumph of a fanatical mob appealing to the rooted and wide-spread prejudice against kine-killing.

8. In the opinion of the Lieutenant Governor, it was an object of very great importance to check the gang at once and completely and he thinks that great allowance must be made for the operation of this well-grounded conviction in the mind of an officer placed in the position of Mr. Cowan. Doubtless that officer felt deeply that it depended on his action whether this fanatical outbreak was to be quelled once for all, or whether from hesitation, delay or false mercy on his part, it was to gain head and at the cost of much bloodshed and confusion grow into a serious religious insurrection. There can be no question that the frequent reports made of fresh bodies of Kukas being in the neighborhood, threatening further attacks, together with the uncertainty as to the state of things elsewhere, were

calculated to deepen his sense of responsibility and apparently had the effect of bringing him to the desperate resolution he ultimately arrived at.

9. The Lieutenant Governor is not of opinion that the evidence now submitted indicates that the immediate retirement of the bands of Kukas who were observed moving towards Kotla was the result of the executions ordered by Mr. Cowan, for in nearly every instance they are said to have gone back on the 15th, the day the attack took place, whereas the executions were carried out on the morning of the 17th. Their retirement appears to have been caused really by the attack having been beaten off by the Kotla people. Still these reports made of the approach of fresh bands and his ignorance of their further movements, naturally tended to increase Mr. Cowan's anxiety and to confirm him in his conviction that the circumstances called for and justified the immediate of exemplary punishment.

10. The defects in Mr. Cowan's proceedings are patent. He recorded no evidence of witnesses of defense, or the criminals, although there appears to have been time to have done so on the 16th. He hurried on the executions, although the prescribed reference to the Commissioner would not have caused 24 hour's delay. Above all, he included, without selection of ring leaders and instigators in one common capital sentence all the persons (excepting women and children) known to have been concerned in the attack.

11. But without desiring to disguise the precipitancy, the undisciplined presumption or the unmeasured severity of Mr. Cowan's conduct the Lieutenant Governor cannot lose sight of the countervailing considerations. He did not injustice. The crimes punished were deliberately planned and committed, were fraught with the utmost alarm to society from the secrecy of their conception and the suddenness and desperation of their execution. It is true that the purpose was not accomplished;

but there was not one of the criminals whose life was not strictly forfeited to public justice. So much may be said, even if those outrages are looked upon simply as municipal offences, but it is impossible so to regard them; there is not only much evidence, but also a universal agreement amongst persons qualified to judge, showing that, originating in a carefully stimulated religious fanaticism, they had a political object, every step in the attainment of which threatened the most serious disturbance of the existing order of things. Hence not only was every one of these criminal's life forfeited to public justice, but it was essential to the maintenance of public authority that a striking example should be made. Mr. Cowan had for some time past officiated as Deputy Commissioner of the Ludhiana District, in which are the headquarters of the Kuka Sect. He had the best opportunities of judging of the nature of their organisation and the tendency of their designs. As a magistrate, he has brought to conviction some of its numbers and his life has been threatened in revenge. On hearing of the outrages under notice, he acted with promptitude in immediately proceeding to Malodh and with forethought in summoning the troops of the protected States and his informal and unauthorized sentences were, the day after their execution, supported by the deliberate pronunciation of similar sentences by the authority to whom Mr. Cowan ought previously to have referred on 16 similar offenders.

12. The Lieutenant Governor does not underrate the necessity for holding officers in the exercise of public authority strictly responsible that the forms and procedure prescribed for their guidance are exactly observed; nor does he deny that an officer of cooler head and greater forethought or even one more fearful of responsibility than Mr. Cowan, would have vindicated in such a crisis the assailed rights of public order and political authority with more circumspection and discrimination. But in the other hand, these very occurrences exemplify the difficult position

officers may be placed in and the dilemma to which minds not, perhaps, exceptionally strong and necessarily much disturbed and excited, may be exposed. And the Lieutenant Governor cannot blind himself to the consequences of the growth of a belief that the only course that can be followed with personal safety is the cautious adherence to technical forms and the studied evasion of individual responsibility. Where, therefore, as in the present case, his Honor sees no cause to doubt but that the proceedings; however, in his opinion, hasty and irregular, were taken in good faith as necessary to the public safety and however indiscriminate, impolitic and unduly severe, involved, nevertheless, no absolute injustice, the Lieutenant Governor holds that he chooses the lesser public evil in not withholding his support to irrevocable acts.

In compliance, however, with the instructions contained in your letter, No. 122, dated 24th January, Mr. Cowan has been placed under suspension and the Lieutenant Governor can only ask for a careful consideration of the papers herewith submitted.

From *Lepel H. Griffin*, Esq., Officiating Secretary to the Government of the Panjab to *E.C. Bayley*, Esq., c.s.i., Secretary to the Government of India (No. 72 c.), dated Camp Dadhopur the 12th February 1872.

With reference to the suspension from office of Mr. Cowan, Officiating Deputy Commissioner, Ludhiana, conveyed in para. 3 of your letter, No. 122, dated 24th January, I am desired to forward, for submission to his Excellency the Viceroy and Governor General, copy of a letter from Mr. Cowan, dated 9th February 1872.

From *L. Cowan*, Esq., Officiating Deputy Commissioner of Ludhiana to *T.D. Forsyth*, Esq., c.b., Commissioner and Superintendent, Ambala Division; dated Ludhiana the 9th February 1872.

I have the honour to acknowledge receipt of your Memorandum, dated 7th instant, forwarding extract from a letter of the Secretary to Government, Punjab to your address, dated the 5th idem, directing my suspension from office until further orders. I only await the arrival of Major Parsons to make over charge of the district to him.

2. This degradation was most unexpected by me. I had hoped that my proceedings, irregular though they were, would, under the grave circumstances of the case, have met with the approval of Government. I entertain the hope that the order for my suspension was written before the evidence, so strongly confirmatory of the belief entertained by me at the beginning, reached the Government of India.

3. I have reported before that I did not carry out the executions at Kotla recklessly or thoughtlessly. I knew how great was the responsibility I was incurring; I knew that grave disapproval of my conduct by Government would, in all probability, be followed by dismissal from the service of Government and to me, and to those dependent on me, dismissal means ruin and beggary. But I incurred this great risk in the belief that the preservation of the peace of the country required the severe measures of repression adopted by me and that no more lenient measures would have the same effect.

4. If I have unfortunately failed to convince the Government that such severe measures were necessary, I will beg that 23 years of faithful service, during which time I have repeatedly received the thanks of Government, may be weighed against this one irregular proceeding. I have never been accused of cruelty. I have never in my recollection, raised a hand to strike a native.

5. I shall feel obliged by your forwarding this letter to the Secretary to the Government of the Panjab with the request

that it may be transmitted, should his Honor the Lieutenant Governor think fit, to the Government of India.

Dated Ambala, the 10th February 1872.

Endorsed by the Commissioner and Superintendent of Ambala Division.

Forwarded to the Secretary to the Government of the Punjab.

From *L.H. Griffin*, Esq., Officiating Secretary to the Government of the Panjab to *E.C. Bayley*, Esq., c.s.i., Secretary to the Government of India (No. 76 c.); dated Camp Mahlana, the 14th February 1872.

I am desired to forward for the information of the Supreme Government, copy of the proceedings of the Commissioner of Ambala, in the trial of Kukas concerned in the recent outbreak.

COURT OF SESSIONS, AMBALA DIVISION.

Case No. I., of 1872.

The Crown versus:-

1. Bhagwan Singh
2. Giani Singh
3. Thamman Singh
4. Mehar Singh

Charge-Dacoity with murder, Section 396, Indian Penal Code.

Arrangement of File.

1. Calendar, charge and opening sheets.
2. Report of Civil Surgeon, Ludhiana.
3. Other evidence for prosecution.
4. Examination of accused before committing Magistrate.
5. Defense.
6. Opinion of Assessors.
7. Finding and sentence of Session Judge.

Abstract of Cases

Against the four accused-Bhagwan Singh, Giani Singh, Thamman Singh and Mehar Singh-The evidence is clear and conclusive. They are all wounded and were taken in the very act of committing the offence with which they are charged. Their presences at the place of capture is incompatible with innocence. Some Further inquiry must be made into the conduct of the remaining three prisoners, who are forwarded to the District Superintendent of Police for separate inquiry and chullan.

The accused Nos. 1 to 4 are committed to take their before the Sessions Judge, this 19th day of January 1872.

This order is explained to them. They have no witnesses.

Camp Maler Kotla, 19 January 1872. L. Cowan, Magistrate.

Charge

I, L. Cowan, Esq., Magistrate of Ludhiana, hereby declare that Bhagwan Singh accused on or about the 15th January 1872, committed dacoity with murder and has thereby committed an offence punishable under Section 396, Indian Penal Code and I direct that he be tried on the said charge by the Sessions Court.

15 January 1872. L. Cowan, Magistrate.

Charge

I, L. Cowan, Esq., Magistrate, hereby declare that Giani Singh, accused on or about the 15th January 1872, committed dacoity with murder and has thereby committed an offence punishable under Section 396, Indian Penal Code and I direct that he be tried on the said charge by the Sessions Court.

15 January 1872.L. Cowan, Magistrate.

Charge

I, L. Cowan, Esq., Magistrate, hereby declare that Thamman Singh, accused on or about the 15th January 1872, committed dacoity with murder and has thereby committed an offence punishable under Section 396, Indian Penal Code and I direct that he be tried on the said charge by the Sessions Court.

15 January 1872. L. Cowan, Magistrate.

Charge

I, L. Cowan, Esq., Magistrate, hereby declare that Mehar Singh, accused on or about the 15th January 1872, committed dacoity with murder and has thereby committed an offence punishable under Section 396, Indian Penal Code and I direct that he be tried on the said charge by the Sessions Court.

15 January 1872. L. Cowan, Magistrate.

No. of Sessions for the Month of January 1872.

Proceedings of a Court of Session held by T.D. Forsyth, Esq., c.b., Session Judge of the Ambala Division, at Malodh, Ludhiana district on the 19th day of January 1872, with the aid of the following assessors: (1) Mir Hashum Khan Bahadur, Rasaldar; (2) Gulam Qadir, Superintendent of Aub; (3) Maatub Singh, Lembardar of Daooda.

The Crown uersus-

1. Bhagwan Singh, of Ram Singh, Kuka.
2. Giani singh, of Dalla Singh, Kuka.
3. Thamman Singh, of Awwal Singh, Kuka.
4. Mehr Singh, son of Gulaba Singh, Kuka.

Charge-Dacoity with murder, Section 396, Indian Penal Code.

Committed by Deputy Commissioner of Ludhiana at Ludhiana on the 19th January 1872. The Charge is read and explained to the prisoner, who acknowledged it to be correct.

T.D. Forsyth,

Sessions Judge, Ambala Division.

Memorandum of Papers transferred from the Magistrate's File to the Session' File, and read out as part of the Proceedings of this Court.

Calendar.

Charge Sheets.

Report of Civil Surgeon, Ludhiana.

Evidence of Sardar Badan Singh taken by Mr. L. Cowan.

Examination of the four accused before the committing Magistrate.

From *J. Ince*, Esq., m.d., Civil Surgeon, Ludhiana to the Deputy Commissioner, Ludhiana; dated Ludhiana, the 18th January 1872.

I have the honour to report that, about 8 a.m. on Monday, the 15th instant, I received your verbal instructions, through the superintendent of police, to proceed without delay to Malodh for the purpose of examining and reporting upon the persons killed and wounded during the attack by the Kukas upon that place the previous evening. I at once laid out my horses and joined you at Malodh between 2 and 3 p.m. the same day, having hospital assistant, Mirza Amir Beg, accompanied me with medicines, instruments and surgical appliances.

2. The following statement shows the number of persons I examined:-

Persons	Killed	Wounded	Total
Malodh...	2	2	4
Kukas	2	4	6

3. Of the Malodh men who have been killed, one was Buta the

Sardar's coachman who was wounded in five places, the chief one being across the right temple, probably by a "gundasas," and the skull was fractured; the other was Nubbee Bux, a Munshee, who had received five very severe sword wounds, two of which were across the back of the neck and by which his head was nearly served from his body.

4. Of those wounded was the young Sardar himself, Badan Singh, who had received six wounds, three of which were probably sword-cuts, one by a gundasas and two by stick; fortunately they were all slight, but that across his left, lower jaw, a sword-cut, about four inches long will leave an indelible scar. The other, Nihal Singh, received three slight sword wounds, one across the right cheek and two others upon the left hand and wrist.

5. Of the dead Kukas No. 1 had an incised wound over the left cheekbone and a fractured skull. No. 2 had an incised wound across the front part of the head and also a fractured skull. The expression of these two bodies was most fiendish one and contrasted horribly with the placid faces of the two Malodh ones, which were lying beside them in the same shed; indeed, the scene afforded a striking proof of the fact that the state of the mind or rather its facial reflection at the moment of death, is as lasting as the attitude of the remaining portions of the body.

6. Of the four wounded, Giani Singh had received a bullet wound on the right arm, a little below the shoulder-joint, causing a very severe and comminuted fracture of the bone. Bhagwan Singh had a slight contused wound on the back of the right elbow and a contusion on the back. Thamman Singh had a slight contused wound about half an inch long just above the left elbow and three slight contusions upon the head. Lastly, Mir Singh had a contusion over the left hip at the slightest touch of which he cried out very vociferously and out of all proportion to the

apparently slight injury he had sustained.

7. About 7 a.m. the next day (the 16th) I started on the same duty for Malerkotla, as the Kukas had made a still more formidable attack upon the latter town the morning after their assault upon Malodh. After a very disagreeable ride in a drizzling rain across country, which, owing to the very heavy rain, was here and there several inches deep in mud and water, I reached Kotla about 10a.m., and the following is a detailed account of the killed and wounded I there examined :

Wounded

Persons	Killed	Very Severely	Slightly	Total	Grand Total	
		Severely				
Kotla men	8	2	4	9	15	23
Kukas	7	1	1	-	2	9

8. The eight Kotla men who were killed had all been burned or buried before my arrival but I was informed that one was the Kotwal and the other seven sepoy.

9. The names of the two who were very severely wounded are Hafiz Ali Shere, Moon shee, who received five sword wounds, one across right side of the head, another across left side of face, another across right side of the neck, and another upon the lower hip; but the worst was that across the left temple, by which the skull was fractured; and Gaimda, sepoy, who received a sword wound upon the top of the head, which probably caused a fracture, and another slighter one upon the right arm.

The names of the four who were severely wounded are :

Meera Buksh - - - a sword-cut across left wrist

Kara ————— " "

and Sussa, whose thumb and two first fingers of the left hand were cut off, and who is said to have killed the Kuka who named

him. the names of the nine who were slightly wounded were, Bira, with four sword wounds; Gunda, three sword wounds across the fingers of the left hand; Kumma, two wounds, a sword puncture and a contusion; Maiho, several contusions by a lathi or stick; Subadar Shahdul Khan, one sword-cut upon the left arm, near the wrist; Abdool Ruheem Khan, one sword-cut; Gholam Mohomed (who said he killed three Kukas himself), on sword puncture; Khudia, one contusion upon the head; and Dina one contused wound.

10. The bodies of the seven Kukas who had been killed I found lying in pools of blood, and heaped together upon the floor of a small room near the Treasure; their attitudes were various, but the expression of the faces was nearly the same in all, and no less fiendish than that of their dead comrades at Malodh. They had been terribly hacked about with swords, swords, chiefly about the heads and chests, and most of them had received several wounds; the head of one was nearly severed from the body, and the right arm of another was completely separated half way above the elbow, and was lying beside the corpse.

11. Of the two wounded Kukas, one was Wazeer Sing, who had received a dangerous sword wound, about five inches long, over the region of the spleen, and another, but slighter one, upon the left shoulder. Of the other wounded person only the severed right hand was picked up after the fight. I found it lying amongst the dead bodies, and satisfied myself that it was not a part of either of them, but really a member belonging to another.

12. After examining the dead bodies, and visiting all the wounded which have been above described, most of whom were, except the Kukas, lying at their own houses in the town, and giving advice and directions regarding their treatment, I left them in charge of the native medical officer attached to the dispensary

there. I then returned to the spon where the principal fighting had taken place; and, having written and despatched to you the demi-official account of what I saw on arrival at Kotla, the particulars of the Kuka attack, the gratifying news of the capture of so many of the fugitives by the Patiala Tehsildar of Sherpore, and some other matters, I prepared to return to Ludhiana, which I reached about 8 o'clock the same evening.

The Crown vesus 1. Bhagwan Singh; 2. Gyan Singh, 3. Tummun Singh; and 4. Mehr Singh.

Witness No. 1 for Prosecution, Sarfraz Khan, Deputy Inspector of Police of Sahnewal Ludhiana District. ____ States on solemn affirmation : On the 11th of this month I went to Bhainee to keep order at the fair there. the fair was over on the 12th. On the 13th in the morning, I heard that a body of mustanas, Kookas, had separated themselves from the rest. The Lumberdar and chowkeedar told me of this, and said they were up the mischief. I than went at once to Ram Singh, and said I wished to speak to him alone. He said, these people, i.e., Hira Singh and Lehna Singh, residents of Lukrundee in Patiala, are heads of this body, and won't obey my word. I said "Why, what is their intention ?" He gave me no answer, and only said they had become mustana. I asked him to give me a list of their names. He gave me a list of 13 men. I gave that list afterwards to the office. I have a copy here, and read it : "Lehna Singh, son of Mehtab Singh; Hira Singh head; Anup Singh, Udham Singh, Nund Singh, of Hadaya; Jogha Singh, Wariam Singh, Bhag Singh of Mehraj; Nand Singh of Rar; Sahib Sing, Sujan Singh, Giani Singh, and Khan Singh, of Bulhera."

He said he knew no more. I asked how many men there were altogether; he said about 50 or 60. I then told Soobhoo

Lumberdar, Dowlut Ram Lumberdar, Bhagwana Chaunkidar and Qalandar Khan, Serjeant, to inquire how many men there were collected in this separate body at a well close to Bhaini.

They reported the number to be about 100. After this I said to Ram Singh, "You explain to them that they are to commit no disturbance, and send them away." He went, and, putting his cloth round his neck, said to them, "Go to your homes, and don't take a row, or it will be worse for me." They replied, "Give us some food, and we will go." He fed them, and they went away, and Ram Singh reported their departues.

I then sent the Serjeant and Hari Singh to follow them, and find out which way they should go. They went to Rampur Kattian, in the Patiala territory.

When they reached Patiala territory the Serjeant and other returned and reported the fact. I at one wrote information ot the Thanadar of Doraha. I then came to Ludhiana by the evening train, and at 10 P.M. informed the district superintendent of police, and then the deputy commissioner.

I was then ordered to go the different Vakeels and inform them.

There were about 1,000 Kukas at the fair. They were occupied in reading and reciting passages, but no one said anything.

The mustana gang frequently expressed their intention of going to Kotla.

Certified that the above evidence was read over to the witness in the Urdu language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,

Sessions Judge, Ambala Division.

THE CROWN VERSUS ONE BHUGWAN SINGH AND THREE OTHERS.

Witness No. 2 for Prosecution, Dhaunkul Singh, son of Mahan Singh; Age 60 years; Caste, Rajput; Resident of Mlodh; Occupation, Cultivator –States on solemn affiramtion : I am durwan, and was on duty at the gate of the town on the evening of the 14th, when town lamps were lighted.

I was sitting at the gateway, when suddenly a number of men, Kukas, perhaps two hundred, came in. They seized my hands and tied them behind my back, and placed a guard of four men over me. They passed on, and when they came back, and went out, my son untied my arms. They were in the fort about on hour or so. There was some fighting, and the Kookas ran out.

Prisoners do not cross examine.

T.D. Forsyth,

Session Judge, Ambala Division.

Certified that the above evidence was read over to the witness in the Oordoo language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,

Sessions Judge, Ambala Division.

THE CROWN VERSUS BHUGWAN SINGH AND THREE OTHERS.

Witness No. 3 for Prosecution, Kirpa, son of Udham; Age 28 years; Caste, Khatri; Resident of Malodh; Occupation,

Shopkeeper. – States on solemn affirmation ; Absent at Kotla.

T.D. Forsyth,

Sessions Judge, Ambala Division.

THE CROWN VERUS ONE BHUGWAN SINGH AND THREE OTHERS.

Witness No. 4 for Prosecution, Dussundhee, Son of Lohya; Age, 40 years; Caste, Teylee; Resident of Malodh; Occupation, Teli.– States on on solemn affirmation : I am syce in the employ of the Sardar Mit Singh. I was in the stables when the Kukas came. My brother, Buta coachman, told me to get out of the way, and I went to my house from fear. But I heard a noise and went out, and found my brother killed. I hit about and my stick was broken. They took two mares away with them. I only got a blow on my arm; no mark left.

I recognised Pahara Singh. He was on a mule. I knew him, because he was born here. He came inside riding his mule. There is another man whom I can identify if I see him. He was wounded on the leg. I recognise No. 2 Giani Singh also. He asked me for a horse, but I would give none. Then they attacked my brother.

Certified that the above evidence was read over to the witness in the Oordoo language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,

Sessions Judge, Ambala Division.

THE CROWN VERSUS BHUGWAN SINGH AND OTHERS

Witness for Prosecution, Nathia –States on solemn affirmation

: About 10 a.m., the day after the dacoitee, I went to village Kuri. At the well near it I saw wome one sitting in his blanket. I asked who he was; he said, a sadh. I seized his blanket, and he called out, "Don't mylet is broken." I then knew he was a Kuka, so had him apprehended. I recognise him as Mehr. Kuri is not a mile from Malodh.

Certified that the above evidence was read over to the witness in the Oordoo language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,
Sessions Judge, Ambala Division.

THE CROWN VERSUS BHUGWAN SINGH

Witness No. 5 for Prosecution, Kishna, son of Thakur Singh; Age, 25 years ; Caste, Rajput; Resident of Mlodh; Occupation, Chuprassee of Sirdar.— States on solemn affirmation : I am chuprassee of the Ludhiana Court, in service with Sirdar Baddan Singh. I was in the Cutcherry building in the evening, when about 18or 20 Kukas came in. I was sitting about two paces from Qazi Nabi Bakhsh. They demanded arms. The Munshi said he had none. They then attacked him with axes on the neck and killed him. I got a blow from a stick on the back. It was night. I could recognise no one. I ran away. The Munshi was killed in my presence. Purboo, another chuprassee, was there, and he attacked the Kuka, and got a slight wound in return. I do not recognise anyone. The Munshi was seated and was dragged out, and asked for arms, and because he gave none was murdered. I then ran out, leaving the Kukas inside, and went to Khea, a village close by, and roused the people. About ninety men came with me, and stopped the door of the village, and there was a scuffle. I know nothing about the capture of these Kukas now in Court.

Certified that the above evidence was read over to the witness in the Urdu language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,

Sessions Judge, Ambala Division.

The Crown versus Bhagwan Singh

Witness No. 6 for Prosecution, Dewa Singh, Son of Jaimal Singh; Age, 18 years; Caste, Jat ; Resident of Malodh; Occupation, in service of Sardar. – States on solemn affirmation; When the Kukas came I was in my father's house. About twenty men came in , and one of them struck my mother on the wrist, and asked for arms and for the keys to open the boxes in our house. They took away a double-barrelled gun belonging to my father, also a tulwar belonging to the Sardar. I could not identify the men; it was night.

T.D. Forsyth,

Session Judge, Ambala Division.

The Crown versus Bhagwan Singh

Witness No. 7 for Prosecution, Hari Singh, Son of Sher Singh; Age, 50 years; Resident of Malodh; Occupation, service of Sardar. – States on solemn affirmation : I am servant to Sardar Badan Singh. When the Kukas came in, Sardar Badan Singh had come from shooting, and it was eventide. I was sitting by him when some 10 or 12 Kukas came in and called out "futteh," and attacked him. They asked for arms and hors. There was a scuffle, and all came outside the room. There they wounded the Sardar by blows on the neck and head. He then seized and axe from one of them and laid about him with it, and they

fied. They abused him, saying he was a friend of Maharaja and a child of the English. Bishan Singh and Nihal Singh were there at that time. I was merely pushed. There was no wound inflicted on me.

Certified that the above evidence was read over to the witness in the Urdu language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,

Session Judge, Ambala Division

Witness No. 8 for Prosecution, Sahib Singh, Son of Gurdas Singh; Age, forty years; Caste, Jat ; Resident of Kheri. – States on solemn affirmatioin : On the evening when the Kukas came I was in my village, when a chuprassee and sweeper came calling out that dacoit had attacked the village. I and my fellows turned out to the number of about 90 and ran to the gate of Malodh Town ; found t shut and protected by the Kukas, as we had to go out and enter by a bastion. I went first along the street and found that the coachman had been killed. We all collected, and there was a general fight, and four of their number were struck down and captured. I did not go intothe bazaar. There may have been men killed. I do not recognise any dacoit, nor can I do so now. I thought they were ordinary maraunders, but people all said they wer Kukas. I had a lathi in my hand; so had others. My lumberdars came out, too, to the rescue. Of the four now in Court, two were captured Just outside the town near the moree, and two about two hundreds yards outside. It was dark. I don't recognise the men, but I knew they had been seized. My villagers had no arms, only sticks and stones. I got a wound on my shoulder, and many were wounded with stones and sticks. Of the four men who were brought in two died. Two

others were apprehended in the morning. Of the four men brought in at night, all were more or less wounded.

Certified that the above evidence was read over to the witness in the Oordoo language, which he understood, and acknowledged by him to be correct

T.D. Forsyth,

Sessions Judge, Ambala Division.

THE CROWN VERSUS BHUGWAN SINGH

Witness No. 9 for Prosecution, Soobah, Son of Abbela; Age, twenty years; Caste, Goojar; Resident of Malodh; Occupation, sais in service of Sardar Baddan Singh. – States on solemn affirmation : I am sais in Sardar Badan Singh's service. On the evening of the daicotee about twenty Kukas came into the yard where I was. Some passed on upstairs. They took away sixteen horses out of the stables. I came back, having been released by the inhabitants pelting the dacoits with bricks. They succeeded in carrying four excellent horses away. I did not recognise anyone. I hid from fear when they came, and did not get wounded.

Certified that the above evidence was read over to the witness in the Urdu language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,

Sessions Judge, Ambala Division

Transferred to Sessions File, The Sardar being too ill to attend Court.

The 16th January 1872. Sardar Badan Singh for Prosecution on Solemn Affirmation. – On evening of 14th, about half past-six p.m., I was seated in this room. About twelve or thirteeen men armed came up to the door, and came in. At first they salamed, they seized me by the hair and dragged me to the door. They said, "You give assistance to the English; that is not good. You are a relation of the Maharaja's." After being dragged across the doorway I seized an axe out of the hand of one of the Kukas and struck the men who were holding me with it. Before I seized the axe I was wounded in three or four places with a sword. They then ran away ; they lighted a blue light (mehtab) to light them up my stairs. I identified one of the accused, Lakha Singh Suba. He did not speak. I have often seen him. they asked for arms and saddles for the horses they had taken.

L. Cowon, Magistrate.

THE CROWN VERSUS BHUGWAN SINGH

Witness for prosecution, Ram Singh, Son of Gurditta : Age 30 years; Caste, Jat; Resident of Sumul Khan; Occupation, Lambardar –States on solemn affirmation: I was present at the outside of the wall when two men wounded were captured and brought in. I do not recognise faces now, for it was quite dark at the time; but these men were caught and brought in. Two men had already been raptured when I saw the men captured at the moree and brought in. Out of the four men caught at night, two died. In the morning two more were caught and brought in.

Certified that the above evidence was read over to the witness in the Oordoo language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,

Sessions Judge, Ambala Division

The Crown versus Bhugwan Singh

Witness for prosecution, Sundar, Son of Jaia : Caste, Hlahun; Resident of Malodh.— States on solemn affirmation : On the morning after the dacoiteee I was going outside the village for a necessary purpose, and saw a man going along very slowly. He was wounded on his arm, and he asked me the way to Kubbenwal. I asked where he was going to, and he said to Kotla. I ran on and told that a Kuka was outside, and the Thanedar then went out and brought him in. I recognise Thamman Singh as the man apprehended.

Certified that the above evidence was read over to the witness in the Urdu language, which he understood, and acknowledged by him to be correct.

T.D. Forsyth,

Sessions Judge, Ambala Division.

Exmation of Accused

16th January 1872. Bhagwan Singh, Son of Ram Singh, Kuka of Nuggul, Patiala. accused No. 1. — I went to Bhaini five days before Maghi. I went alone from my village. I di not join any gang. The Kukas who were seated near me talked of going to loog Kotla. Lehna Singh and Hira Singh Of Sakraudi were among them. There were about 50 to 60 men who planned to attack Kotla. I don't know who first originated the idea, but i heard everyone saying that they would get horses and arms at Kotla. There was no mention of Malodh at Bhainee. no one

asked me to join them; it was my fate to joining them. I do not see any Kukas among the party. This gang were not mustanas. This party were separate from all the others at a well of Ram Singh, about three hundreds paces from the village. They belonged to different villages. On the 13th, after eating food at noon, we all left Bhainee. There were about 50 or 60 in all. There were no swords with us. There were a few small gandassas. I di not hear anyone say that they would be revenged for Gyanee's death. I know that we were going to Kotla to seize horses and arms. I do not know that it was intended to do after we got the horses and arms. We all went together from Bhainee, and gaining by Pael in the Patiala State reached Rubboo on the Patiala border 2½ coss from Malodh, when a watch of the night had gone (probably 10p.m., 13 th January). We did not stop at any village on the road to Ruboo. I do not know if any others joined in, or supplied arms on the road or not. I had only a stick in my hand. I was mounted on my mare. We rested that night and Sunday in Rabbon at a well outside the village. People from the village brought bread to us. I do not know their names. We all left when two gharis of the day remained. There was no Suba with us. I did not any one with tulwaras. A few had axes, and the rest sticks. I di not know we were caoming to Malodh till we reached the village. Hira singh and Lehna Singh were our leaders. There were the same number when we reached Malodh as when we left Bhaini. I arrived at Malodh, and came in to village with the others on horseback. I am lame. I came only as far as the oilman's shop, shere oil was taken from. I did not join in the attack. I sat on my mare in the bazaar, whilst the others attacked the house and cutcherry. A little while after the Kukas began to run away, and bricks were thrown from the roofs of the houses. I was struck in several places. and fell of mare. I was also the roofs of the houses. I was struck in several places, and fell of mare. I was

also struck by lathi and seized. I only know the names of Hira Singh and Lehna Singh of the dacoits. I make this confession voluntarily. I do not know the names of the two Kukas who were killed.

The confession above recorded contains accurately the whole statement of accused, and to the best of my belief no influence was used to make the confession.

L. Cowan, Magistrate.

The Crown versus Bhagwan Singh

Charge – 396, Indian Penal Code.

No. 1. – Defence

Bhagwan Singh, Son of Ram Singh; Caste, Kuka; Residence, Naggal Ilaq, Ptiala, having pleaded guilty, says the statement he made before the magistrate in quite correct; it is read over to him, and there adds : I am not an enemy of the Government. I came with the party to see what was going on, not to plunder. I am lame, and does it look as if I was fit to commit a dacoitee ? I rode on horseback. I was not present when the conversation took place between Lehna Singh and Hira Singh, but I heard at the well where we were all collected at Bhaini, that he had promised to join us.

The above contains the whole of the statement made by accused in my presence.

T.D. Forsyth.

(12)

Examination of Accused No. 2, Giani Singh, Son of Dulla Singh, Kuka, of Dhulairi, Patiala.— I went to Bhainee on the 11th; I stayed there two nights. thummun Singh, my nephew, went

with me. About 10 or 12 Kukas worked themselves into a frenzy (mustana). A number joined them till there was about 100. They were shouting out that they would have an exchange for Gyanee, who was hanged. Hira Singh and Lehna Singh were the leaders. I do not know the name of any others. On the second day the party left the village. I followed them with Thumman Singh, and joined them at Pael. They asked me to come to Kotla with them, that they would there get arms and horses. They said they would first loot Kotla, then Sungroor, then Nabha, then Patiala. I joined them and came on to Rubboo. At Bhainee Lakha Singh and Harnam Singh, Soobahs, came and sat down with the mustanas. I heard Hira Singh say to them that they were going to take revenge for Gyanee's death, and would first go to Kotla for horses and arms. The soobahs said "We will follow you, go on to Kotla. I came from Pael to Rubboo with the gang. Remained a night and day in Rubboo. Heera Singh bought food in the village out of his own pocket and gave to us. We remained at a well about 500 paces from village. The people of Rubboo did not know for what purpose we were there. We all left Rubboo in evening. there was only one tulwar with Lehna Singh, some had gundassas, and some axes and sticks. I had a stick only. At Rubboo I and Thumman Singh were going to our houses. Hira Singh asked us to come with him as far as Kotla. We were not told we were to loot Maloth, We arrived at gate of Malodh at dark. On the road I heard it counselled to come to Malodh, as there were 40 horses and arms to be had here. I came inside with the others. It was arranged that all those with sticks were to go and guard the small gate. I went there with Thumman Singh, Atar Singh and another, whose name I do not know. A little after 10 or 12 men attacked us with sticks and bricks, and Atar Singh and my fourth companion were killed. I was wounded by a shot in the right arm, and Thumman Singh was wounded. I fell, and was taken there. I do not know the names of any of the others of the gang. I make the confession voluntarily.

At Bhainee Ram Singh came to us, and said—Oh brother, do not create a disturbance!" and told us to go to our houses at once, as we would not obey him.

L. Cowan, Magistrate

The confession above made contains accurate the whole of accused's statements and no influence was used to make the confession.

L. Cowan, Magistrate.

Defence —Gyan Singh, son of Dullah Singh: Caste, Kuka : residence, Pholayroe: having pleaded guilty, the statement made by him before magistrate is read out and acknowledged to be correct. He adds : I am a friend of the Sarkar. I served in the cavalry : I have done nothing wrong. I did not know what was going to be done. When Labba came to talk to the mustanas, Hira Singh said, "We are going to Kotla and Jhind, and Nabha and Patiala, to revenge ourselves for the part they took in Ghyan Singh 's death. If you are a poor lot (pajee) don't come ; but, if not, come with us. Labba Singh said, go, I will come afterwards. Hurnam Singh was there, but said nothing."

The above contains the whole of the statement made by accused in my presence : it was read over to accused, who acknowledged it to be correct.

T.D. Forsyth, Commissioner.

(13)

Examination of accused, Thamman Singh, son of Albel Singh, Kuka, of Phulairi Accused No. 3. — I am Gyan Singh's (Accused

No. 2.) nephew. I went after him to Bhaini, and left after him on the 13th. I joined him and about one hundred Kukas in Rabbon. I joined them. They said they were going to Kotla to get horses and arms. I do not joined them. They said they were going to Kotla to get horses and arms. I do not know for what purpose they wanted horses and arms. My uncle did not tell me. We left Rabbon in the evening, and arrived at the village at time of lighting lamps. I had nothing in my hand. I did not come inside the village. I went and stood outside the Mori. I did not know the others were going to loot Malodh. I thought they were passing through on their way to Kotla. I went alone outside (deponent will not explain why he separated himself from the others). I was outside and heard noise and sounds of fighting, and number of men ran out of the village and attacked me (deponent has wounds on the left arm and head). I fell down, and was arrested at once. I make this confession voluntarily. I do not know the names of the two Kukas who were killed.

The confession above recorded contains accurately the whole of the statement made by accused, and to the best of my belief no influence, by means of any promise, threat or otherwise, was used to make the above confession.

L.Cowan, Magistrate.

The Crown versus Bhagwan Singh

Charge— Section 396, Indian Penal Code

DEFENCE

Thamman Singh, son of Albel Singh ; Caste, Kuka ; age ; residence, occupation, — Having pleaded, his statement made before the magistrate is read and acknowledged to be correct, and adds : I only went to the fair. I had no stick, no arms. I did not know we were coming to plunder Malodh. I am not a Kuka: I am a Jat.

The above was read over to accused, who acknowledged it to be correct : it contains the whole of the statement made by him in my presence.

T. D. Forsyth, Commissioner.

Examination of accused, Mehr Singh, son of Golaba of Alawalpur, Jalandhar district, 16 January 1872. – I went to Bhaini for the Maghee and stayed there one day. I saw Hira Singh and Lehna Singh, Mustanas, with many other Kukas, but I don't know what they were doing. I did not see any soobahs with them. I did not see Ram Singh go to them and tell them not to make a disturbance. I left Bhaini alone, leaving Singh go to them and tell them not to make a disturbance. I left Bhaini alone, leaving all these Mustanas at Bhaini. I came to Rabbon intending to go to Hosinpore to visit all these Mustanas at Bhaini. I came to Rabbon intending to go to Hosinpore to visit a friend. the Mustanas all arrived after me. then says : "The Mustanas arrived at Rabbon before me. I did not join them. They did not ask me to joint them. I left 'Rabbon' with them on the following evening. I did not know where they were going. I came to Malodh with them; I went to a well outside town. I was alone. Heera Singh gave me food at 'Rabbon' After I had been a little while at the well outside the village, a number of men came and seized me and beat me. I was arrested there."

L. Cowan, Officiating Deputy Commissioner.

Order—Against the accused, Sahib Singh, there was sufficient evidence to warrant putting him on his trial. I await a report from the police before examining him and the other two remaining accused.

16 January 1872.

L. Cowan, Magistrate.

Order—A report is received that Ram Singh, leader of the Kukas, has been detained by the heavy rain, but will soon be here. the excuse is a reasonable one as notice was given to him only yesterday about 1 P.M., and it has rained ever since.

As I am about to start for Kotla notice is given that Ram Singh may return to Bhaini. He will be summoned to Ludhiana on my return if necessary.

Adjourned.

16 January 1872

L. Cowan, Magistrate.

The Crown versus Bhagwan Singh

Charge – Section 396, Indian Penal Code

DEFENCE

Mehar Singh, son of Gulaba; Caste, Kuka ; age, : residence, : occupation, – Having pleaded not guilty, his statement made before the magistrate is read over to him and acknowledged to be correct. (This prisoner is in great pain and cannot move, his leg being broken.) He adds : I came as far as the Shivala just at the gate of the village. I was wounded by a lathi between the Shivala and the gate. After this I went to the well in Ruian and was apprehended next day.

The above contains the whole of the statement made by accused in my presence ; it was read over to accused, who acknowledged it to be correct.

T. D. Forsyth, Commissioner.

The Crown versus Bhagwan Singh

Charge – Dacoit with murder : Section 396, Indian Penal Code.

Opinion of Assessors. – In their opinion, after hearing the evidence for prosecution, the offence is fully proved against all the prisoners. They were all arrested on the spot and are wounded ; besides, they confessed their guilt.

(True translation.)

19 January 1972.

Gunga Bishen, Clerk of Court.

The Crown versus Bhagwan Singh, Giani Singh, Thamman Singh, Mehar Singh.

Dacoity with murder : Section 396 Indian Penal Code.

The history of this case is as follows :

At an assembly of Kukas at the Maghi Fair in Bhaini on the 11th and 12th January, it was decided by a party of Kukas, who had worked themselves into a state of frenzy and excitement, that Gyani Singh Soobha's death must be avenged. Hira Singh and Lehna Singh of Sekrowndee in the Patiala Territory were some of the leaders, if not the chief men in this business. The Deputy Inspector hearing of their excited state went to Ram Singh, the Kuka Guru, and asked the intention of these men. He gave no answer, merely saying theywer Mastanas.

Subsequently Ram Singh having given the Deputy Inspector the names of thirteen men, "Mastanas," went to them and begged the gang to go away to their homes, and commit no row. They asked for food from him and then went away.

Two of the prisoners now on their trial say that Lakha Singh Suba came to the gang, when he was called on to join, to avenge Giani Singh's death, or he was a paji admi. Lakha Singh

then promised to follow. This may have been said by him merely to get rid of them. they declared their intention of going to Kotla, Jind, Nabha, and Patiala, to take revenge on these states because of the part taken by them in hunting down the perpetrators of the Raikot Murder.

From inquiries made in the case disposed of at Kotla it appears that the attack was first directed against Kotla as being a weak and notoriously misgoverned state, that they might get arms and money with which to attack the other places.

A gang of about one hundred kukas left Bhaini on the 1st and halted for the night at Rabbon. Next day as they passed towards Kotla it was suddenly determined to attack Malodh, where Sardar Mit Singh and Badan Singh live. The party of Kukas arrived at the gate just at dusk. they took possession of the gate, and proceeding through the bazaar, where they dropped sentries at cross streets, so as to secure their retreat, made straight for Sardar Mit Singh's house. Entering the gateway they found some stables on the left, and Boota Coachman. He was called on to give up his horses, and on refusing was immediately cut down and killed. Dhankal Singh Kurwan, witness No. 2, had his hands tied behind him at the gate. Dussunda, witness No. 4, saw his brother Buta murdered

The party then passed on to the house, and in one court-yard found the Sardar Munshi Nabi Bakhsh, and killed him. Kishna Rajput deposes to the fact.

Opposite to this court-yard in Sardar Badan Singh's house. A party of from 1st to 18 went in, seized his horses, and going up-stairs to his room, pretending to pay their respects, abused and attacked the Sardar, who with great gallantry turned on his assailants, and seized an axe, and laid about his right and left. The party then took flight and were pursued down the bazaar

by the inhabitants, who attacked them with sticks, guns, bricks, & c.

the men of the opposite village, Kheree, came to assist and drove off the Kukas.

In the fight six men of the Kuka party were wounded, two died; of the remaining four, two, Bhagwan Singh and Giani Singh, were captured just outside the wall and brought in at once.

Witness Sahib and Ram Singh depose to the capture of these men, and Sundi deposes to the apprehension of Thamman Singh just outside the village next morning.

Natha deposes to seizing Mehr in the village of Rui, not a mile distant from Malodh, next morning.

All the rest escaped and attacked Kotla, but all or nearly all were captured, and that case having occurred in independent jurisdiction has been disposed of by the Commissioner in his capacity as agent.

There is not the slightest doubt as to the intentions or acts of the party to which these four prisoners belong, and I can see no reason for not recording the sentence in which all who are concerned in dacoity with murder are involved.

The assessors are unanimous in finding the parties guilty; their statements, in fact, admit guilt.

THE KUKA OUTBREAK

For two reasons, however, I hesitate to put into execution the extreme penalty of the law. Severe examples have just been made at Maler Kotla, and there is room now for a display of clemency.

The second reason is that all the prisoners are more or less severely wounded. Two have broken limbs, and possibly the

life of one is in danger. I therefore remit the sentence of death, and pass a sentence of transportation for life against all four prisoners.

Malodh,

19 January 1872.

T.D. Forsyth,

Commissioner and Session Judge.

The Crown versus Bhagwan Singh, & c.

Charge – Dacoity with murder : Section 396, Indian Penal Code.

The Court concurring with assessors finds that Bhagwan Singh is guilty of the offence specified in the charge, namely, that Bhagwan Singh has committed the offence of dacoity with murder, and has thereby committed an offence punishable under Section 396 of the Indian Penal Code ; and the Court directs that the said Bhagwan Singh be transported for life.

19 January 1872.

T.D. Forzyth,

Session Judge, Ambala Division

The Crown versus Giani Singh, & c

Charge–Dacoity with murder : Section 396, Indian Penal Code.

The Court concurring with assessors finds that Giani Singh is guilty of the offence specified in the charge, namely, that he has committed the offence of dacoity with murder. and has thereby committed an offence punishable under Section 396 of the Indian Penal Code: and the Court directs that the said Giani Singh be transported for life.

19 January 1872.

T.D. Forzyth,

Session Judge, Ambala Division.

The Crown versus Thamman Singh, & c.

Charge – Dacoity with murder : Section 396, Indian Penal Code.

the Court concurring with assessors finds that Thamman singh is guilty of the offence specified in the charge, namely, that he was committed the offence of dacoity with murder, and has thereby committed an offence punishable under Section 396 of the Indian Penal Code : and the Court directs that the said Thamman Singh be transported for life.

19 January 1872.

T.D. Forzyth,

Session Judge, Ambala Division.

The Crown versus Mehar Singh , & c.

Charge – Dacoity with murder : Section 396, Indian Penal Code.

The Court concurring with assessors finds that Mehar Singh is guilty of the offence specified in the charge, namely, that he has committed the offence of dacoity with murder, and has thereby committed an offence punishable under Section 396 of the Indian Penal Code; and the Court directs that the said Mehar Singh be transported the life.

19 January 1872.

T.D. Forsyth,

Sessions Judge, Ambala Division

Proceedings in the case of the sixteen Men tried at Maler Kotla

Maler Kotla Jurisdiction versus Maler Kotla State

1. Albel Singh, Kuka of Balaon, Patiala.
2. Rur Singh, Mullu Majra, Patiala.
3. Kaisra Singh, Gillan, Nabha.
4. Saitha Singh, Rabbon, Ludhiana.
5. Anup Singh, sakraudi, Patiala.
6. Sobha Singh, Raboon, Ludhiana
7. Wariam Singh, Chuna Bahadur Singh, Ludhiana.
8. Sham Singh, Jagah, Patiala.
9. Hira Singh, Pitu ke, Nabha.
10. Bhagat Singh, Kangla, Patiala.
11. Hakim Singh, Jubbal, Amritsar.
12. Wariam Singh, Mehraj, Ferozepur.
13. Sobha Singh, Baddal, Nabha.
14. Sujan Singh, Rabbon, Ludhiana.
15. Bela Singh, Rabbon, Ludhiana.
16. Jawahar Singh, Bolean, Patiala.

Charge – “Dacoity with Murder} at Kotla on the morning of the 15th January 1872.

Niaz Ali for Prosecution on Solemn Affirmation. – 18th January 1872.— I am Naib Nazim of Amargarh, in the Patiala State. On eht 15th instant, about noon, a Zamindar came and reported to me Sherepur that a body of kukas had created a disturbance in Kotla . I went at once with three sowars and a muharrir to “Burr:” arrived there about 1 p.m. I saw 68 Kukas in the jungle about 30 or 40 paces from the village, of whom 29 were wounded , some only with contusions. The villagers had all fled out of fear. I asked them where they had come from ; they said they had come after attacking Malodh and Kotla. I told them to give up their arms. Some agreed to give up arms, other refused, and they disputed about it. At last they gave up 16 talwars, one spear, and a number of gandasas, axes and sticks. The swords

before the court are those they gave up. I arrested them and took them to Sherepur, There were no troops or people of Kotla there. I got no information from Kotla. There were four horses with them, three of them belong to the Sardar of Malodh and one to some one in Kotla. They had also a Kotla chupprasse's badge with them. I identify the horses out of court. The 16 men before me and the two women were among the Kukas I captured. The leaders were Hira Singh and Lehna Singh, of Sakroundi, and Gurmukh Singh, a lumberdar of Phariwai, in Kotla, They tole me they had left Bhaini with the intention of killing the cow-killers in Kotla and that on the road they turned off to get arms in Malodh. They did not tell me what they intended to do after leaving Kotla. I told them it was not use to resist ; that, though they might overpower me, the Maharajah would not leave a man alive. After taking the arms, I collected a number of men and escorted the Kukas to Sherepur, four has from "Burr." I kept the prisoners a day at Sherepur and then sent them to you at Kotla.

L. Cowan

Accused do not question

(No. 16.)

Punjab Singh for Prosecution on Solemn Affirmation. 18th January 1872 – I am lumberdar of Ramnuggur, in the Patiala State, and a durbaree of the State. On the 15th I sent out Niaz Ali to "Burr.) My village is on the road from Sherepur to (Burr.) I saw about 80 Kukas in the jungle outside the village, and the village deserted. After some dispute they gave up their arms to Niaz Ali. There were 16 talwars, a spear, and a number of axes and gandasas. There were four horses. I identify the arms shown to me. All the swords were marked with blood, and many were without sheaths. About 20 or 25 were wounded severely.

They said they had come from Bhaini to massacre the people of Kotla who killed cows, and went to Malodh to get arms. The 16 men and two women now before me were among those whom I took to Sherepur. The four horses outside court are those taken from them.

L. Cowan.

Accused do not question.

(No. 17.)

Narain Singh for Prosecution on Solemn Affirmation. 18th January 1872. – I am the Mokhtear of Sardar Mit Singh, of Malodh. Three of the horses, two mares, and one horse outside court are the property of Sardar Mit Singh and his son, Badan Singh. They were stolen from Malodh, on the evening of the 14th instant, by a gang of dacoits, who wounded the Sardar, Bhugwan Singh, and killed two men.

L. Cowan.

Accused do not question.

One of the swords shown nto me was stolen from Malodh at the same time.

L. Cowan

Examination of Accused No. 1, Albel Singh, Kuka. 18th January 1872. –I went to Bhaini for the Maghi festival four or five days ago. I met Hira Singh and Lehna Singh there. I left Bhaini with them and about 120 others. There was no talk about going to Kotla. They said they were all going to their homes. I went with them to Rabbon ; remained a night there. Next day we all went to Malodh. In the evening Hira Singh told us to come with him to Malodh and he would give us arms to kill the slayers of cattle. I remained in the bazaar when the others went into the fort. No Soobah came with us. When the gant left Malodh I accompanied

and came to Kotla. Hira Singh said the cow-killers were there. I came into the city with the others as far as the Kella Gate. I don't know who our guide was. I followed Hira Singh. I found a sword in Kotla. I wounded man with a sword before the Treasury. I don't know who he was. I then ran away with the others and went to Burr, where I was seized the same day by the naib Nazim, No Soobah incited us at Bhaini to commit the outrage. Hira Singh at Bhaini and at several other places has asked me to join him in killing the killers of cows. The man I wounded was killed by one of my companions. I don't know if any joined us on the road from Bhaini. Several Kukas came to us and several left us. Ram Singh told us to leave Bhaini. I don't know why. I make this confession voluntarily.

L.Cowan.

Confession

T.D.F.

(No. 19.)

Examination of Accused No. 2, Rur Singh, Kuka of Patiala. 18th January 1872. – I went to the Maghi fair at Bhaini. I joined the Kukas who were with Hira Singh and Lehna Singh> We did not speak about killing cow-killers ; but the thought came into my heart to do so. I left Bhaini after Hira Singh and the party. I joined them next morning in Rabbon. I was going to my home. No one at Rabbon asked me to join them. I left Rabbon with the party and joined them at Malodh. In the town, but remained in the gateway by God's order. I did not go further. When the Kukas returned I came with them and went to Kotla. No one told me to go. I went. I came into the town and remained outside the gate of the palace. I had a stick. I joined in the fight before the Treasury, but did not strike any one. I did not get a weapon. We ran away; a number remained behind. I don't know if they were

killed or not. The men whose corpses were shown nto me were with us, but I don't know their names. I went from Kotla with the others to "Burr," where I was captured. I don't know if all the other accused were in Kotla with us or not. I don't know if any left our gang after we left Kotla.

L. Cowan.
Confession.
T.D.F.

(No. 20.)

Exmaination of Accused No. 3, Kaisra Singh. 18th January 1872 – I went to Bhaini for the Maghi Mela. I sat near where Hira Singh and Lehna Singh were. They did not advise me to join them in any enterprise. God put it into my heart to go with them. No Sobah spoke to us. (This last remark in voluntarily.) I left Bhaini with them. We went together to "Rabbon," and from Rabbon to Malodh. God ordered me to go there. No one else tole me. I went inside, but stayed outside the fort gate, whilst the others went in. I had not even a stick. I then came with the party to Kotla. I cam inside the town to the palace gate. I was in the fight before the Treasury, but had no arms. I don't know who killed the Kotwal. I don't know who showed us the road in; I follwed others. We came to Kotla by God's order to kill the slayers of kine. From Kotlah we went to Rar where we were captured. The whole gang was captured at Burr. None left us on the road.

L. Cowan.
Confession.
T.D.F.

(No. 21.)

Examination of Accused No. 4, Saitha Singh. 18th January 1872 – I went to Bhaini on the Maghi. I did not hear any counsel

taken there to kill or rob. I followed the gang of Hira Singh and Lehna Singh to my house in Rabbon. I went with them to Malodh the following evening. There were in all 50 men ; all Kukas. I went inside, but stayed at the outer gate. I don't know why we went there. I went because Hira Singh and Lehna Singh went. From Malodh I went with the rest to Kotla. Came inside of palace inclosure. I had a stick. I was in the fight, but did not hit any one. I left Kotla with the others. I did not get a sword in Kotla. We all came to "Burr." None left us on the road. At "Burr" we were captured. The men whose corpses have been shown to me were with us in Kotla. I don't know their names. The other accused were all with us in Malodh and Kotla.

L. Cowan.

Confession.

T.D.F.

(No. 22)

Examination of Accused No. 5, Aroop Singh. 18th January 1872. – I went to Bhaini for the Maghi. I went with Hira Singh and Lehna Singh, who are of my village. No counsel was taken at Bhaini. I left Bhaini with Hira Singh and a number of Kukas. I don't know how many. I went to "Rabbon." From Rabbon to Malodh. I stayed at the outer gate by order of Hira Singh. I did not go to the Fort. I went from Malodh to Kotla. I remained outside. Was not in the fight. When the rest ran out I joined them, and went to {Burr,} where I was captured.

L. Cowan

Confession.

T.D.F.

(No. 23.)

Examination of Accused No. 6, Sabha Singh, of Robbu. 18th

January 1872.— Came from Rabbon with the gang; did not go to Bhaini. Then says, I did not see Lehna Singh or Hira Singh in my village. The night of the row at Malodh I was in my village all night. On the 15th I left my home to go to the Pharwahin Mela. On the road as I was passing "Burr", I was arrested with the other accused. (I was alone.) I have no witnesses. (Pharwahin is between Rabbon and Rar). I lost my road.

L. Cowan.

This man was with the gang, and, from the geographical position of Pharwar and Burr, it is evident he was not going to Pharwar.

See statement of accused Nos. 3 and 4, as to all present being with gang at Malodh and Kotla.

T.D.F.

(No. 24.)

Kurriam Singh, Accused No. 7. 18th January 1872. —I went to Bhaini for the Maghi Fair. I saw Hira Singh there. I left Bhaini with him. He said nothing to me at Bhaini, but on the road he spoke about the killing of cows, and asked me to come to Kotla and stop it. I went to Malodh with him. I stayed in the Bazaar outside the gate of the fort. Was not engaged in the fight. Then I came to Kotla; came to the palace yard ; was in fight, but did not hit any one. I had only a stick with me. I then went to "Burr;" I followed Hira Singh. I was captured at "Burr."

L.Cowan.

Confession.

T.D.F.

(No. 25.)

Exmaination of Accused No. 8, Sham Singh. 18th January 1872.—Went to Maghi Mela at Bhaini; met Hira Singh and Lehna Singh there. No counsel was held about cow-killing. I left Bhaini alone about noon; that night I put up at Kotla under a tree outside the town. I did not eat any food there. I have no witnesses that I was there alone. That morning I went to "Rar," which is on the road to Jagah. I put up in the house of Mahtab Singh, Kuka. A lumberdar, whose name I don't know, saw me. I was in Mehtab Singh's house when I was seized. I was not with the other Kukas when I was seized.

Inaz Ali re-exmained.—When Sham Singh was seized he was sitting with the other Kukas, and dressing their wounds.

Sham Singh—continued. I was formerly in service of the Jind Raja, and dismissed for being a Kuka.

L. Cowan.

Confession of being at Kotla. the case is clear against this man of being with the gang. See statement of accused Nos. 3 to 4.

T.D.F.

(No. 26.)

Examination of Accused No. 9, Heera Singh. 18th January 1872.— I went to Bhaini for the Maghi. I left Bhaini with Sham Singh (preceding witness who said he left alone). Came to Kotla, stayed under a tree, and next morning went to "Burr." Put up in house of Hira Singh. His brother, whose name I don't know, was there. He is a Kuka. I went out for a necessary purpose, as Hira Singh and Kukas were being arrested, and I was arrested with them. I have no witnesses.

L. Cowan.

This man was not seized in a house. The whole gant were taken in a body. He confirms that he was at Kotla. See statements of accused Nos. 3 and 4.

T.D.F.

(No. 27.)

Bhagat Singh, Accused No. 10. 18th January 1872. –I went to Bhaini for the Maghi Mela. I saw Hira Singh and Lehna Singh there. I joined their party.

These two preached against cow-killing, and they said they were going to Kotla to kill the killers of the kine, and invited us to accompany them. No Suba came near us. Ram Singh came and told us not take a disturbance there, but to take our food and go. A great many Kukas were in a state of frenzy. I was not. I went with them to Rabbon, then to Malodh, inside outer gate, then to Kotla to palace yard. I had a stick; I was in the fight, but did not hit any one. I did not get any arms. We went first to the treasury. Hira Singh said that, after getting arms, we would kill the killers of cows. We ran away to "Burr," where I was seized. We had many wounded with us, therefore we remained together. I did not hear that we were to go anywhere after leaving Kotla. Lehna Singh and Hira Singh were wounded in Kotla, therefore we were dispirited and gave up the game.

L. Cowan.

Confession

T.D.F.

(No. 28.)

Examination of Accused No. 11, Hakim Singh, 17th January 1872. – I did not go to the Maghi Mela at Bhaini. I went to Ambala to search for service 25 days ago. I lived with Sobha, a police havildar. I was formerly acquainted with him. I stayed four days with him. I asked Tehal Singh in the police to get me service> I don't know what his appointment was. I think he was a Munshi. He did not take me to any superior officer. I don't know if they will give evidence for me or not. I left Ambala 15 or 16 days ago. Went to Sooghur ; put up with my "Nanke." I don't know how many days I stayed there. I don't know who lives next to my "Nanke" in Sooghur. From Sooghur I went to "Rar." I went there in search of service. I do not know any one if "Rar." I sat down outside; other Kukas came up, and I was seized with them. I have no witnesses.

L. Cowan.

This man was seized with the others of the gang in a body. His story about sitting down outside, and being joined by other Kukas, is quite incredible. He is a native of Amritsar. See statement accused 3 and 4.

T.D.F.

(No. 29.)

Examination of accused No. 12, Kurrian Singh, 18th January 1872. –I went to Maghi fair at Bhaini. I met Lehna Singh and Hira Singh there, and I joined their party. They told us to fight for our religion, and asked who would follow them. I left Bhaini with them on afternoon of 13th. About 60 or 70 other Kukas were with us. We went to Rabbon, then to Malodh for arms. I went into bazaar, but did not enter fort. I did not fight. Then I came with the gang to Kotla, entered palace-yard, had a stick,

joined in fight, and struck several person with my stick. Then fled with the others to "Rar," where I was apprehended. I did this because God told me to do so.

I. Cowan.

Confession

T.D.F.

(No. 30.)

Exmaination of Accused No. 13 Sobha Singh, 18th January 1872. – I went to the Maghi Mela at Bhaini, and went with Hira Singh's party to Rabbon, then to Malodh, and afterwards to Kotla. At Malodh I went into fort, but did not attack any one. At Kotla I went into palace-yard; was in the row; did not strike any one. I had a stick only; then I went to "Rar," where I was captured. I went by order of Hira Singh to Malodh and Kotla.

L.Cowan.

Confession

T.D.F.

(No. 31.)

Examination of Accused No. 14. Sojun Singh 18th January 1872. –My home is at "Rabbon." I joined Hira Singh at "Rar." I did not go to Kotla or Malodh with them. I went to "Rar" six days ago for the Phurwar Mela (Phurwar is beyond "Rar,"). I did not go to Phurwar because Gurmukh Singh did not go there. I am not Gurmukh Singh's servant, or in any way connected with him. I lived in "Rar" for one day in the house of a man whose name I do not know. I went out and sat down with some Kukas

who were outside the village and was seized. I have no witnesses for my defence.

L. Cowan.

Niaz Ali's statement in clear that all the 65 Kukas were in the jungle thirty or forty paces from the village of "Rar," and said they had come from Kotla. All the villagers of "Rar" had fled out of fear. I consider this man's statement quite incredible. See statements of accused Nos. 3 and 4.

T.D.F.

(No. 32.)

Exmaination of Accused No. 15, Beloa Singh, 18th January 1872 – I did not go to Maghi Mela when they came to my village (Rabbon). I joined them and went to Malodh : I went to bazaar. Then I went to Kotla and entered the town. I stayed outside palace gate. I had no arms. I was not in the fight, but saw it. We went to Kotla to kill the killers of cows.

L. Cowan.

Confession.

T.D.F.

(No. 33.)

Exmaination of Accused No. 16, Jawahir Singh, 18th January. –I went to the Maghi Mela at Bhaini. I left alone and joined Hira Singh at Rabbon. I went with them to Malodh and stayed at the outer gate. I then came to Kotla, and came as far as the palace-gate. I did not join in the fight. I then went to "Rar," and was captured there

L. Cowan.

Confession

T.D.F.

Order. —The whole of the accused in this case were captured immediately after the attack on the town of Kotla. They had in their possession arms which were deeply stained with blood, and property stolen from the state of Kotla and Sardar of Malodh. The whole of the accused make admissions which amount of confessions of guilt, and of their guilt no reasonable doubt can be entertained. The offences these men have committed are no ordinary ones. They have committed an act of open rebellion, and deserve the severest penalty of the law. I commit the accused for punishment to the commissioner and Agent for the Kotla State.

L. Cowan, Magistrate.

18 January 1872.

The conduct of certain officials of the Patiala State has been most praiseworthy. Considerable intelligence and courage were displayed by Niaz Ali, Naib Nazim, in the capture of so formidable a gang with the aid of only a few followers. His attendants, too, are deserving of rewards for the prompt and ready aid they rendered to him.

I recommend the following rewards :—	Rs.
To Niaz Ali, Naib Nazim	1,000
To Punjab Singh, Darbaree	300
To Izmak Singh, who gave the Information	200
To Mustan Ali, who gave the information	100
To Uttam Singh, who gave the information	50
To Ratan Singh	50

To Gulab Singh	50
To Partab Singh	50

Kotla State versus Albel Singh and fifteen others, Kotla

Charge. –Dacoity with murder at Kotla on the morning of the 15th January 1872.

This case has been conducted by the Deputy Commissioner, Ludhiana, on behalf of the Kotla authorities; the Nazim and Tehsildar sitting with him and conducting the trial.

The evidence of Niaz Ali and Panjab Singh shows that a compact body of 68 to 70 Kukas were found by them in the jungle outside the village of "Rar," which place had been deserted by the villagers through fear. When interrogated, these men all acknowledged that they had come from Kotla. Swords, one spear, axes, and gandasas, were in their hands and covered with blood. The statements furnished by the Nazim establish the fact of the attack upon the palace and treasury of Kotla, the murder of the Kotwal and seven of his men, besides wounding of fifteen more.

It is impossible to discriminate now between those who actually struck the blows which caused the death of these men, nor at this present moment would it be wise to display leniency towards a gang, every one of whom is, according to law, equally liable to the same punishment. The intentions of the gang are clearly indicated by their leader Ram Singh, and his statement made before me at Ludhiana on 10th. As regards prisoners Nos. 1, 2, 3, 4, 5, 7, 10, 12, 13, 15 and 16, their statements are ample confessions of their being actually inside Kotla. Nos. 8 and 9 admit being at Kotla. Nos. 6, 11, and 14 admit being with the gang when caught, and their admissions, coupled with the statements made by accused 3 and 4, leave no doubt in my

mind that they were of the gang, and therefore are equally liable to punishment.

I concur with the committing officer, and confirm the sentence of death against all to be carried out into immediate execution.

T.D. Forsyth,

Commissioner and Superintendent, and ex-officio Agent

to the Lieutenant Governor, Punjab.

Kotla

18 January 1872.

The remaining prisoners caught, but who it appears were not taken with this gang, will be dealt with separately.

T.D.F.

The meritorious conduct of the Patiala officials having been certified by the Deputy Commissioner, Ludhiana, I sanction the rewards to each as recommended by him. The money to be paid from the Kotla revenues. Provision is also to be made for the families of the Kotwal and others who fell gallantly defending the palace and property of the Malakir Kotla State; the details will be settled in consultation with the Nazim of Kotla.

Kotla

18 January 1872.

T.D. Forsyth,

Commissioner.

CORRESPONDENCE RELATING TO

From E.C. Bayley, Esq., c.s.i., Secretary to the Government of

India, to L.H. Griffin, Esq., Officiating Secretary to the Government of the Panjab (No. 569); dated the 22nd March 1872.

With reference to your letter, No. 76 c dated the 14th ultimo, and the previous correspondence, relating to the trial and punishment of the Kukas concerned in the recent outbreak, I am directed to state that a paper drawn up by Mr. Forsyth, and containing the following passage, has been confidentially communicated to the Viceroy and the Governor General :—

“On reaching Ludhiana on the evening of the 16th, I received a letter from Mr. Cowan, expressing his desire to execute his prisoners at once. I wrote requesting him to leave all the men caught by the Patiala authorities in their charge till I could send out a guard to bring them into Ludhiana for trial. This letter Mr. Cowan must have received some time before he executed any.”

2. This statement is directly contrary to the distinct assertion of Mr. Cowan, in the correspondence submitted by the Panjab Government. It is also contrary to the spirit of Mr. Forsyth's own account of the same incident in that correspondence. In his letter, No. 16, dated the 17th January last, to the address of the Commissioner of Ambala, Mr. Cowan refers to a communication which he had received before the execution terminated, when the last batch of prisoners was being tied to the guns; and this account is corroborated by Lieutenant Colonel Perkins, in his journal having reference to the same event.

3. Mr. Forsyth, in the correspondence submitted by the Panjab Government, extenuates the conduct of Mr. Cowan till the execution was over, making no mention of a demi-official letter which had reached Mr. Cowan sooner, though he alludes to the demi-official letter elsewhere. In the extract subjoined to paragraph 1 above, Mr. Forsyth speaks of having written a letter which Mr. Cowan must have received “some time before

he executed any."

4. It is not clear whether this statement refers to some letter of which no official mention has been made, or to the demi-official letter mentioned by Mr. Cowan and Mr. Forsyth. If the former hypothesis be correct, the circumstance that the letter was not brought officially to the notice of Government should be explained. The latter hypothesis is inconsistent with the assertion of Mr. Cowan, which assertion was before Mr. Forsyth when the paper which forms the subject of my letter was drawn up by him.

5. These are points which, in justice to Mr. Cowan, should be cleared up. With this view I am desired to request that, under the orders of his Honour the Lieutenant Governor, you will be good enough—

(1) To obtain a copy of the letter referred to by Mr. Forsyth as having necessarily reached Mr. Cowan before the execution, and of the demi-official letter which is stated to have been delivered to Mr. Cowan during the execution, if there were two separate letters;

(2) if there was only one letter, to obtain from Mr. Forsyth a statement of the grounds on which he founded his belief that that letter must have reached Mr. Cowan before the execution;

(3) to obtain from Mr. Cowan an exact account of the circumstances under which the earliest letter from Mr. Forsyth reached him, of the hour at which it was delivered to him, of the place in which it found him, and of the number of Kuka prisoners who remained alive at the instant at which he became aware of its contents ; and

(4) to obtain from Lieutenant Colonel Perkins a statement of the same character.

From L. Griffin, Esq., Officiating Secretary to the Government of the Panjab, to E.C. Bayley, Esq., c.s.i., Secretary to the Government of India (No. 914); dated Lahore, the 15th March 1872.

In continuation of this office, No. 93c, dated 22nd February last, I am desired to forward, for the information of the Government of India, copy of a letter, No. 56, dated 6th idem, from Lieutenant Colonel E.N. Perkins, district superintendent of police, Ludhiana, reporting on the late Kuka outbreak at alodh and Malerkotla

From Lieutenant Colonel E.N. Perkins, District Superintendent of Police, Ludhiana, to Major A.H. Bamfield, Deputy Inspector General of Police, Ambala Circle (No. 56); dated Ludhiana, the 16th February 1872.

I have the honour to acknowledge the receipt of your No. 157 of 29th ultimo, calling upon me for an official report of the proceedings of the late Kuka outbreak, & c.

As the Inspector General was informed of each day's occurrences by special report during the whole of the time I was absent at Malodh and Kotla with the Commissioner and Deputy Commissioner, I can but recapitulate the events of each day as already reported. The Deputy Commissioner taking the case into his own hands from the first, I only acted under his orders and carried into effect his wishes.

The assembling of the Kukas at Bhaini (to which there was no restriction) for the Lohri festival commenced on or about the 10th ultimo, everything went of quietly, parties arriving and leaving each day, the whole breaking up and going off to their homes by the 13th, with the exception of some 80 men headed

by Hira Singh of Sakraudi, Patiala. This individual, it appears, had determined to avenge the death of one Giani Ratan Singh, a Subah (lately hung at Ludhiana for the Raikot murders), and openly expressing his intention when starting from Bhaini, induced a number of other desperadoes to join him, intimating an intention of proceeding to Kotla, where they hoped to possess themselves of treasure, arms, & c.

The Deputy Inspector of Sahnewal, Surfraz Khan, who was present at Bhaini, on hearing of this, sent a serjeant to follow them up, and on the return of this man with the report that the party had gone to "Rampur" in Patiala territory, wrote to the Thanedar of Duraha, in whose ilaqua they then were, and came into Ludhiana to report the matter in person. On his arrival I took him over to the Deputy Commissioner, who immediately had the information conveyed to vakils of Patiala and Kotla. Nothing more was heard during the 14th, and it was hoped that the band had broken up, but on the following morning an account of the attack on Malodh was received from the Deputy Inspector of Dehlon, upon which the Deputy Commissioner and myself started for the scene of action, and on the road were met by a sowar from Kotla, with information of another attack having been made on that place at 8 a.m. that morning, the man stating that when he left, the place was surrounded by Kukas, and heavy fighting going on. Mr. Cowan, Deputy Commissioner, immediately wrote a telegram, requesting that troops might be sent, dispatching it by the Kotla sowar to Ludhiana. On arrival at Malodh the place was inspected, and arrangements made for the security of the village, and the prisoners found placed under a proper police guard.

The band on leaving Bhaini appeared to have remained but a short time at Rampur, and then started south, passing through the Patiala territory, and putting up for the night at a well

belonging to one of the Kuka freaternity, near village Rabbon in Dehlon Thana, on the confines of the district. Here they remained the night (13), and up to the evening of the following day (14).

At Rabbon it appears from the statements of the prisoners that the idea was first mooted of taking Malodh on their way, in hopes of obtaining arms, & c. from the Sardars. They left Rabbon about 8 p.m., and entered the village by the wet gate, leaving sentries to protect the same. One party proceeded at once to the house of Sardar Badan Singh, honorary magistrate, whom they attacked and wounded in the neck. Another party went to the magistrate, whom they attacked and wounded in the neck. Another party went to the stables, killed the coachman, and took away four horses. Nabi Baksh, the munshi, was killed near the Sardar's Kachehri; the whole street was full of men who were pelted with bricks, & c. from the roofs of the houses by the villagers, two of the Kukas being killed and several wounded. The Kukas possessed themselves here of three swords and a double bared gun, remaining about an hour, and then left in the direction of Kotla, leaving behind them the killed and wounded, one shot through the arm by a shikari, and the others disabled by bricks and lathis.

The Deputy Commissioner was occupied the following morning (16) in examining the accused parties, and Ram Singh arrived about 12 o'clock, having been sent for from Bhaini the previous day, but the Deputy Commissioner being anxious to push on to Kotla, Ram Singh was told he would be called in to Ludhiana, if wanted. We then left for Kotla, and on the road met the Risallahs of Jind and Nabha, also the Naib Nazim of Amargarh (Wazir Ali), who reported his having been successful in capturing nearly the whole gang near Sherepore. On our arrival at Kotla, the greatest consternation and alarm still the contingents of the

surrounding stages, for it was generally apprehended, from the constant reports from the neighbourhood of small bodies of Kukas collecting in all directions, that another attack would take place.

The following morning (17) Deputy Commissioner and myself inspected the city and scene of action. The gang appeared to have had but little difficulty in entering the town through a large space in the dilapidated wall, and to have met with little or no opposition until they reached the palace square, where they were met by the Thanedar and a few men, and here the only real fighting took place, 15 being killed on both sides. The Thanedar is said to have killed three of the assailants with his own hand before he succumbed to a sword wound on the head.

The Kukas evidently hoped to get into the treasury, but luckily breaking open the wrong door, found only a few papers, misls, & c. in the place. They also took some arms out of a Kothi, but not finding any ammunition threw them down a well, and they were afterwards recovered. The Kotla people were evidently unprepared for the attack; this they say was in consequence of the short notice received, the report from their Vakil only reaching Kotla at 8 p.m. on the 14th, the man having been informed by me at 11 o'clock on the previous night (13), and the distance being only 31 miles. As the prisoners had not made their appearance up to 12 o'clock, I, after consultation with the Deputy Commissioner, went out with a few horse to meet them some six miles from Kotla, and brought them in, in safety. A more determined set of ruffians I never saw; several of them on the way in were excessively abusive, declaring they wanted no other government but that of their own sect.

It was determined by the Deputy Commissioner summarily, to execute 50 of the 68 captured by blowing them away from guns, reserving 16 to be hung at Malodh, and in consequence

arrangements were made for the executions to take place that evening which were duly carried out, a letter from the commissioner arriving too late to stop the same.

I should have mentioned that on my meeting the party I found that Hira Singh and Lehna Singh, the leaders of the gang, had been taken, and the former informed me that the whole of the gang had been captured. During the executions a most savage attack was pieces. The following day (18) the Commissioner (escorted by a detachment of the 12th Cavalry under the command of Colonel Gough) arrived and confirmed Mr. Cowan's proceedings of the previous day. He also held a formal trial of the remaining prisoners, and sentenced them also to suffer death, thus showing that he considered the outbreak a serious one, and one from which, unless dealt with severely at the first, very great danger to the State was to be apprehended.

In the evening a Darbar was held by the Commissioner for the distribution of rewards to those who had done good service towards the capture of the gang, & c.

The following morning the Commissioner and party returned to Malodh, where he was occupied during the day in trying the four prisoners taken at that place; they were sentenced to be hung, a sentence which was afterwards commuted to transportation for life.

Up to the 18th Information was frequently received that small parties of Kukas from various quarters were flocking towards Kotla, and these gangs apparently only dispersed on hearing of the execution.

On the morning of the 20th the Commissioner, after receiving visits from the Sardars of Malodh, Rampur etc. Left for Ludhiana. Deputy Commisioner Colonel gough and self accompanying him.

I should have mentioned that the civil surgeon, Dr. Ince, went with us to Malodh on the 15th, and on the following morning preceded us to Kotla, and returned to Ludhiana in the evening of the same day.

Referring to paragraph No. 2. of the letter, I am not aware of any extraordinary measures for information, & c. being in force consequent on the Rajkot murders other than the arrangements I found on my receiving charge of the district at the latter end of November which were those of Extra Assistant Commissioner Narain Singh, having been specially appointed to keep a look out on the movements of the sect, and report direct to the Commissioner and Deputy Inspector General ; also a few men told off here and there through the district to report anything suspicious. the Kukas, however, were particularly quiet previous to the late outbreak, which appears to have been quite a premature affair, and I believe against the wishes of Ram Singh, whose plans for a far more serious disturbance were thus, as it turned out, fortunately anticipated.

In conclusion, I have much pleasure in stating that the police worked well and willingly.

(Confidential.)

From L.H. Griffin, Esq., Officiating Secretary to the Government of Panjab, to E.C. Bayley, Esq., c.s.l., Secretary to the Government of India (No. 1270); dated Lahore, the 11th April 1872.

Letter No. 153, dated 8th April, from T.D. Forsyth, Esq., C.B

Letter dated 8th April From L. Cowan, Esq. dated 5th April, From Lieutenant Colonel Perkins.

With reference to your letter No. 569, dated 22nd March, I am desired to forward copies of the replies marginally noted, on the subject of Mr. Forsyth's orders to Mr. Cowan regarding the disposal of the Kukas concerned in the recent outbreak.

From T.D. Forsyth, Esq., C.B., Commisioner, Ambala Division, to L.H. Griffin, Esq., Officiating Secretary to the Government of the Panjab (No. 153); dated Ambala, the 11th April 1872.

In reply to your No. 1076, dated 2nd April 1872, I have the honour to state that three letters were addressed by me to Mr. Cowan on the subject of the mode of dealing with the prisoners taken at Malodh and Malerkotla between the time of my arrival at Ludhiana on the night of the 16th January and the receipt of the news of the executions on 17th January. The first letter was sent off some time in the night of 16th, and before the dispatch of my telegram to your marked B. I am not quite certain of the hour of dispatch. That it arrived at its destination before the executions took place is unquestioned. Mr. Cowan informs me that he received it on the 16th or 17th, but he probably in his reply will give the exact hour of its receipt. As to the contents of that letter, it being in demi-official form, I unfortunately kept no copy, and Mr. Cowan informs me that the original has been mislaid.

2. According to my recollection, the letter was to the effect that he was to keep the captured Kukas in the hands of the Patiala authorities in the Fort of Sherpur, till I could send a guard to bring them into Ludhiana for trial ; and meanwhile he was to beat up stragglers.

Mr. Cowan says in a letter to me lately received, "I remember having received a demi official from you on the 16th or 17th

January to the effect that it would be best to keep the captured rebels in the Fort of Sherpur till you could send out a force to take charge of them." So that, on the main point, Mr. Cowan's collection agrees with mine as to the purport of my orders for the disposal of the prisoners.

3. As regards the second letter I have to state that Mr. Cowan's telegram A, copy given in the margin, was received at the Ludhiana Telegraph Office at 5.2 a.m. on the 17th, and at 5.48 a.m. my telegram B was received.

4. On making inquiry subsequent to the receipt of your letter now under reply, I am informed by the Telegraph Office that these messages were delayed five hours in the office, and were not dispatched till 10.25 a.m. and 10.30 a.m., respectively, I waited till about noon expecting an answer from the Lieutenant Governor ; and as none came, I dispatched my official letter No. 2, copy of which is already before Government, and is again submitted for convenience of reference, which letter reached Mr. Cowan while the executions were going on.

A.

Telegram from Mr. Cowan, Malodh, to Secretary to the Government of Panjab, Delhi, dated the 16th January 1872.

Against four of the Malodh murderers the proof is convincing. Allow me to execute them on the spot. It is of importance that the punishment should be prompt. I go to Kotla.

B.

Telegram from Commissioner, Ludhiana, to the Secretary to Government, Panjab, Delhi

Referring to Cowan's telegram asking permission to execute at once four men. Since we have got 70 men. I am on the

spot, and can dispose of the cases according to form, and without delay. Exceptional action not necessary, and would increase excitement, better allayed, & c., & c.

5. The third letter was written subsequently, but, as the second letter arrived too late, it is unnecessary to go into particulars as to the time of arrival of later orders. A copy of the letter, however, is annexed.

6. With reference to paragraph 4 of the letter from the Secretary to the Government of India, Home Department, the loss of the original letter prevented my sending a copy.

As it was not couched in regular official form, and as it only contained instruction to keep the prisoners till they could be sent in for trial, and did not contain the peremptory prohibition against the summary executions to be found in the subsequent letters, it may be that Mr. Cowan considered he might exercise some discretion, and, therefore, his statement, alluded to by the Secretary to Government, may be taken to refer only to the prohibitory, and not to the declaratory order.

7. I take this opportunity to make some remarks explanatory of the sentence carried into execution against the 16 men on the 18th January.

8. When the case was submitted for my orders, I had to consider it in its judicial aspect, as well as from a political point of view.

9. Now, taking the judicial view of the case as it stood by itself, quite apart from all other considerations, 16 men belonging to a gang who had committed a double series of murders were pronounced to be guilty of the charge preferred against them. The sentence for their crime was death; and had the case been tried in the courts governed by our codes, it would have been

incumbent on me to show very good cause why that sentence should be mitigated. Had the case then been a solitary one, there would have been no more ground mitigated. Had the case then been a solitary one, there would have been no more ground for hesitating to confirm a sentence of death passed on 16 men, than there would have been last year for the chief court to hesitate to pass sentence on 12 men for the murder of the butchers.

10. I had, however, to consider all the surrounding circumstances, and the first one which would naturally influence me was the fact that so many men had already suffered for the same offence. But there were counter balancing arguments which I now propose to reproduce.

11. One consideration was that, if the case admitted of it, Mr. Cowan ought to be supported. However much I might have deprecated his proposed action, and inwardly deplored it when as yet not taken, still when once done. I felt myself placed in an entirely different and, it will be readily conceded, in a most difficult position. To hastily disavow his proceedings, and to cancel his acts at such a moment, I considered would be most unwise.

* The answer, as follows, reached me after midnight, having evidently been delayed in transit :

"With reference to your telegram regarding execution of rabels, Lieutenant Governor concurs with you. He, however, approves Mr. Cowan's energy." – 17 January 1872.

12. When the news of the executions by Mr. Cowan reached me, I had just ended a long confidential talk with Guru Ram

Singh. I had learned from him that the sect, which when I met him at Anandpur Mkhawal in 1867, owed him implicit obedience, now had passed entirely out of his control. Such was his assertion, and it was impossible not to be seriously affected by the reflections which arose out of such a revelation. The premature violence of Lehna Singh and his party might prove a miserable fiasco, but what assurance had I then that advantage of the occurrence would not be taken for the rest of the Kukas to rise, and thus support and push forward the movement begun by their brethren ? And would not the next step have been to plunge the province into actual war ? When I went out to Kotla, I heard of bands of Kukas having been seen coming towards Kotla, but suddenly disappearing on reaching near enough to get information of the fate that awaited them. It was while the sentence passed on the 16 men was awaiting my sanction that news of some such bands being in the neighbourhood was brought to me, and men were sent out to ascertain the truth, and to apprehend the culprits.

To have shown leniency at such time, then, to any whom the law declared to be worthy of death would unquestionably have been mistaken for weakness. Every native knew that there was but one sentence to which those men were justly subject.

Last year the chief court had sentenced 12 men to death for the Rajkot and Amritsar murders, and it was evident that these sentences had not had a deterrent effect.

13. There was another consideration to which weight had to be given.

The attack on the Mahomedan State of Kotla conveys but a small significance to the mind of the ordinary reader. But any one who has read the History of the Punjab Rajahs by Mr. Griffin will find that, so far back as 1794, Bedi Sahib Singh, lineal

descendant of Baba Nanak, the first and most revered of the Sikh Gurus, proclaimed a religious war against the Maler Kotla Afghans, whom he accused of killing cows, as great an offence Malerkotla in the eyes of a Sikh as of any other Hindu.

This present attack, then, was but the repetition of former fanatical fury, with however, an important difference. In the last century, and, in fact, till within the last quarter of a century, the normal condition of these provinces was anarchy, and attacks by one tribe or people on another were treated rather as a matter of course.

But since the British Government took possession of the country all classes have been taught to look for protection to the paramount power, whose first duty it has been truly said is the maintain security for life and property. To the British Government, then, the Mahomedans of Malerkotla looked for deliverance in this hour of need.

As I entered the town of Kotla I was met by the Nazim and Tahsildar, who form the Council of Regency during the vacancy caused by the death of the late Nawab, and till the appointment of a successor. They earnestly described the dangers of their position, making, perhaps, more of the cause than was correct, in order to exalt their own services; but, in one respect, they were genuinely earnest. They were in a decrded dread of a second attack, and spoke of other Kukas coming sooner or later to renew murders. That they had imbibed a fear, lest I should show too much leniency, was apparent from the earnest manner in which they begged that the men, whose complicity in the attack they, in consevere punishment than the law warranted. I felt my self bound to give due weight to this consideration. I may here mention that the next day, when I went over to Malodh to try the men charged with the murderous attack on Sarda Mit Singh's house, and before I began to take

up the case, the Sardar took me aside, and in a solemn manner assured me that, unless I passed sentence of death on the prisoners when found guilty, his life, and the lives of the people with him, would not be safe.

I did not allow this to influence my final decision as to the disposal of the culprits at Malodh, for reasons given in my judgment, but I went through the form of recording a sentence of death according to law.

14. There was yet another consideration. All these men had been doomed to execution on the previous day by Mr. Cowan, and it was known to all that they had only been spared temporarily by my orders arriving for their trial. If, then, after trial, it should be found that the sentence intended by Mr. Cowan was a just one, was there not a certain amount of necessity laid on me to justify his proceeding, in the eyes of the world by giving a legal sanction to his decision ?

15. Viewing the whole circumstances of the case, I considered that the sentence ought to be carried out.

From T.D. Forsyth, Esq. C.B., Commissioner of Ambala Division, to I., Cowan, Esq., Officiating Deputy Commissioner of Ludhiana; dated Ludhiana, the 17th January 1872.

I have to acknowledge the receipt of your letter, dated Kotla, 16th January, 7.30 p.m.

2. The body of Kukas now apprehended in Patiala territory have committed two separate offences; one offence affecting British jurisdiction, the other offence affecting the semi-independent jurisdiction of the Maler Kotla State.

3. As regards offences committed in Maler Kotla, the authorities

there have full power to try and sentence criminals, sending the case up to the commissioner for sanction when the sentence is capital punishment.

4. I purpose proceeding to Maler Kotla very shortly.

My dear Cowan,— You have done admirably, but for heaven's sake don't let the whole thing fall short of perfect success by any hasty act.

By dealing with the men now caught as culprits in the Kotla territory, they can be hanged legally without the delay of sending the case to the chief court, by attending to the form usual in all such cases, i.e., sending up the proceedings to me; and to save time and trouble I am going out to Kotla as soon as I have disposed of Ram Singh. But if you hang (yourself) these men, i.e., the men caught at Malodh, you will fall short of perfect success. A delay of 12 hours cannot produce harm, whereas illegal action may cause trouble. I only wait for Ram Singh to come in tomorrow morning, and I shall then be out at once.

T.D. Forsyth.

17 January 1872

From L. Cowan, Esq., Mussouri, to the Officiating Secretary to the Government of the Panjab; dated the 8th April 1872.

I have the honour to acknowledge receipt of your letter, No. 1577, dated the 2nd instant, with enclosure from the Secretary to the Government of India in the Home Department, No. 569, dated the 22nd March 1872, calling for explanation on certain points connected with the punishments inflicted during the Kooka outbreak in January last. All my papers relating to the case have been left at Ludhiana. I had hoped to remain at this

place for a few days only; that the correspondence was over, and that it would not be necessary to refer to it during my absence from Ludhiana. My recollection, however, of the occurrences at Kotla on the 17th and 18th of January is so distinct that I do not hesitate to furnish the explanation called for, without waiting for the papers.

2. Before the execution of the 49 men was over, I received only one letter from Mr. Forsyth, directing me not to execute the captured Kukas, but to keep them for trial. This letter reached me on the evening of the 17th January a little before sunset; I was on what is called the parade ground of the Kotla State between a line formed by the sepoy of the native States and the guns. Forty two or 43 of the insurgents had been executed before this letter was delivered to me; the remaining six or seven men were tied to the guns, and a bugler was awaiting the order to sound the "fire." Colonel Perkins and some of the higher officials of the native States were standing near me. After reading Mr. Forsyth's letter I handed it to Colonel Perkins, with the remark that it would be impossible to stay the execution of the men already tied to the guns; that such a proceeding would have the worst effect on the people around us. This letter was the only one I received from Mr. Forsyth on the 17th, directing me to abstain from executing the prisoners.

3. Earlier in the day before or about noon, as I was riding through the town of Kotla, a letter was put into my hand from Mr. Forsyth, who had arrived at Ludhiana late on the previous night. This note was to the effect that he had heard of the capture of the rebels, and that, in the present disturbed state of the country, it would be better that they should be detained in the Patiala Fort of Sherepur till he would send out a sufficient strong guard to take charge of them. This note did not contain any instructions to have them brought to trial. I put the note in my pocket, and

thought no more about it. It contained only a suggestion. which could not be acted on, for the captured Kukas were then close to Kotla on their way in.

4. The above is a plain statement of facts. Read by itself, the extract subjoined to paragraph 1 of the Supreme Government's letter plainly implies that I acted at variance with orders received some time before the execution. That such was not the case I have shown above; and, assuming that I had actually received orders not to execute the prisoners, and had disobeyed those orders, that such disregard of instructions would have been approved of is evidenced by the fact that, on the 18th January, after receipt (on the night of the 17th) of my report of the executions, Mr. Forsyth wrote to me as follows :—

“My dear Cowan, — I fully approve and confirm all you have done. You have acted admirably. I am coming out.

“Yours, sincerely,

“T. D. Forsyth.”

“18 January 1872.”

I received this note about 11 a.m. on the 18th; a little later in the day, Mr. Forsyth, accompanied by Colonel Gough, and escorted by 30 or 40 sabres of the 12th Bengal Cavalry, arrived at Kotla, and, after repeating to me verbally his approval of what I had done, ordered the immediate execution of 16 more prisoners.

5. On the 19th January Mr. Forsyth desired me to give him copies of all the demi-official letters he had written to me, and I furnished him with copies of all in my possessions. My belief is that I sent him, with the others, a copy of the note I received in the town of Kotla on the forenoon of the 17th. I destroyed several paper which I deemed of no importance, and probably this note

with the rest, for I have not got it now. This is unfortunate, but I could not have supposed I would have been called on to furnish a copy of it. I had no conceivable motive for keeping it back. My act had been approved of and confirmed before I was asked for copies of those notes, and I had nothing to gain by suppressing any of them.

6. On the 25th March, two days before I left Ludhiana, Mr. Forsyth wrote to me for a copy of a letter in which he had asked me to keep the prisoners in Patiala till he would send a guard to bring them in for trial. I searched unsuccessfully among my papers, and replied by return of post that I recollected having received a letter from him, desiring me to keep the prisoners in Sherepur till he could send out a force to secure them, and I added that I believed I had sent him a copy of this letter with the copies of his other demi official letters, but that I could not now find it.

7. To save time I have this day written to Mr. Forsyth, requesting him to forward to you a copy of the letter which he addressed to me on the 17th, and which I received as the executions were over, and also a copy of any other letter of the same date.

From Colonel Perkins, District Superintendent of Police, to the Officiating Under Secretary to the Government of the Panjab : dated the 5th April 1872.

In reply to your letter, No. 1078, of the 2nd instant (forwarded from Ludhiana), I beg to state that I remember Mr. Cowan receiving a letter previous to the conclusion of the executions at Kotla, but cannot state the exact time of its receipt, nor the number of Kukas still undealt with.

(Home Departemtn – Judicial –Np. 857.)

From E. C. Bayley, Esq., c.s.i., Secretary to the Government of India, to the secretary to the Government of the Panjab.

Sir,

Fort William, 30 April 1872.

In continuation of my letter, No. 569, dated 22nd March last, and with reference to your reply noted in the margin on the subject of the summary execution of Kuka prisoners at Maler Kotla, I am directed to state that the Governor General in Council is now in a position to pass final orders in this painful case.

2. His Excellency in Council has maturely considered the facts stated by Mr. Forsyth and Mr. Cowan, and the expressions of his Honor the Lieutenant Governor's opinion contained in your letters of the 19th January, No. 23 c, the 7th February, No. 59 c, and of the 16th February, No. 78 c, and, without recapitulating all the circumstances of the case, which will be found in the memorandum appended, he thinks it right to recall the following leading facts to your recollection as being those on which his decision proceeds.

3. On the 17th January 49 persons, many of whom were wounded, were by Mr. Cowan's order blown away from guns at Maler Kotla without trial. That these persons had been guilty of a great crime there is no doubt; but both the manner of the execution, and its excessive and indiscriminate severity, stand in need of the strongest justification. In the opinion of his Excellency in Council, nothing short of absolute necessity could justify these proceedings. If any judicial inquiry, however summary, had taken place, a distinction might have been made between ringleaders and followers, and the usual mode of punishment would have been employed. At the time when the extra-judicial execution was ordered, the disturbance which had taken place had been effectually suppressed. Mr. Cowan had

athis disposal considerable bodies of troops, and there is no evidence whatever to show that actual immediate danger was or could have been apprehended either from the prisoners themselves, or from other members of the sect to which they belonged. The only fact which can be said to suggest the existence of such danger is, that various small bodies of Kukas were seen in the neighbourhood of Maler Kotla, who promptly disappeared. It appears, however, to his Excellency in Council, that their dispersion was owing to the defeat of their associates, and not to the summary punishment inflicted, and in this belief he is supported by the view taken by his Honor in your letter of the 7th February above quoted, paragraph 10, in which it is said :—

“The Lieutenant Governor is not of opinion that the evidence now submitted indicates that the immediate retirement of the bands of Kukas who were observed moving towards Kotla, was the result of the executions ordered by Mr. Cowan, for in nearly every instance they are said to have gone back on the 15th, the day the attack took place, whereas the executions were carried out on the morning of the 17th. Their retirement appears to have been caused really by the attack having been beaten off by the Kotla people.”

4. It is, in short, obvious, both from of circumstances of the case, and from many expressions in Mr. Cowan's letters, that his motive in ordering the executions was to prevent a rising which he considered imminent, by an act calculated to strike terror into the whole Kuka sect. In illustration of this, it is to be observed that both Mr. Forsyth and Mr. Cowan refer to the small effect which the execution of the Raikot murderers in due course of law had had in the way of deterring the Kukas from further violence.

5. Before adverting to the peculiar circumstances under which

Mr. Cowan acted, the Governor General in Council thinks it right to make some general observations on the principle on which that officer seems to have proceeded, as his Excellency in Council has reason to fear that it may have considerable influence on the minds of officers who feel themselves liable to be placed in positions of difficulty. This principle, perhaps rather felt than avowed, is that law is meant only for quiet times, and that officers are justified in disregarding it, as soon as political danger is apprehended, and in substituting punishments inflicted at their own discretion, and without any other measure than their own estimate, formed on the spot under the pressure of immediate excitement, of what is required in the particular case for the sake of example.

6. This view appears to his Excellency in Council to involve a grave error.

7. His Excellency in Council desires to impress, in the most emphatic manner, on all civil and military officers whom it may concern, the broad principle that the law of the land administered by the established courts is the instrument to which Government looks, and in which it trusts, for the purpose of suppressing crime, maintaining peace, and deterring ill disposed persons from following the example of malefactors; and that it is a grave act of insubordination and presumption for any individual officer to take upon himself to decide upon the spur of the moment that the law is not strong enough to protect society, or that the punishments which can be inflicted in its ordinary course are not sufficiently severe to deter from crime. To do so is to usurp the highest prerogative of the Government. Cases may arise in which Government may consider it necessary to punish particular offences with exceptional severity, or to arm particular officers with special powers of summary trial and execution; but till this is done, the duty of

all civil and military officers in all cases is to treat criminals when captured in the regular course of law; that is to say, to hand them over for trial to the proper tribunals.

8. In order to show that this course is not inconsistent with any degree of vigour and promptitude which can be required in the most arduous circumstances, it is necessary to bear in mind that for the suppression of violent crime, and the apprehension and safe custody of offenders, the law authorises, and indeed requires, the use of any degree of military force which may be necessary for the purpose. Rebels with arms in their hands, gangs of dacoits banded together for the purpose of robbery and murder, persons in the act of waging war against the Queen, and all who aid and abet them, may and ought to be attacked by force of arms precisely as armed invaders may be attacked. If their behaviour and number is such that it would, upon military grounds, be improper to grant them quarter if they were engaged in ordinary war, they might be killed upon the spot. In short, there is no severity which by the usages of war may be inflicted upon the enemies' troops for the purpose of defeating and breaking them up, which may not in strict accordance with law be inflicted upon bands of criminals, whether rebels or not, for the purpose of their defeat or arrest.

9. The one thing which cannot be permitted to any civil or military officer in any case whatever, is the regular assumption of the office of the judge and of the legislator. No such officer has right to punish his prisoners, still less has he any right to punish them according to a law made by himself, after the fact, and in reference to the circumstances of a particular case.' The law authorises officers to do whatever is necessary in order to suppress crime and arrest criminals; but neither law nor any principle of justice or policy justifies them in punishing prisoners, when taken, as they think proper.

10. Officers may, perhaps, be assisted in understanding and applying to particular cases as they arise, the principles above stated by a few observations on the policy which they are meant to carry out.

11. To administer justice with mercy is the fixed and settled policy of the government of India; but it is absolutely essential to this great object that justice should be administered according to known rules, with due deliberation, and with discrimination between degrees of guilt. Sentences pronounced under excitement, and with little time for reflection, are liable to be neither just nor wise. It is probable that they will bear upon them the stamp of individual resentment or anxiety rather than that of deliberate justice. Summary orders are often taken for acts of vigour, when they are in truth acts of weakness. Such orders frequently show that those who give them doubt their own strength, and are afraid to be merciful to their opponents.

12. The Governor General in Council cannot consent to assume the attitude in which the ratification of such acts would place him. His Excellency in Council trusts, on the one hand, in the effect which a course of just and merciful rule cannot fail to produce in time in the minds of the people. He relies, on the other hand, on the existence of a military force sufficient to protect the mass of quiet and well-disposed persons against the small minority who, for whatever reasons, might be willing to plunge the country into anarchy and civil war.

13. His Excellency in Council cannot consent to be forced by the crime of a few fanatics into the sanction of acts repugnant to the whole spirit of British rule. The British Government is strong enough to keep order and suppress crime, and there is no occasion for indiscriminate severity; nor in any case could the exercise of such severity be a source of strength.

14. With reference to the special circumstance of Mr. Cowan's case, his Excellency in Council has to observe as follows :-

15. In the first place his Excellency is of opinion that Mr. Cowan's clear duty was to have detained the prisoners in custody until they could be proceeded against in due course of law. Referring to the principles already stated, there is no circumstance which tends to justify, or even greatly to excuse, Mr. Cowan's conduct. The prisoners were absolutely helpless. A large proportion of them were badly wounded. They had surrendered to very inferior numbers, and were under the guard of a considerable military force, which might have been increased to any required extent. Under these circumstances their illegal and indiscriminate execution was a measure for which there was no excuse. His Excellency in Council cannot regard as an excuse Mr. Cowan's belief that the execution was politically expedient. In fact, that he set aside the existing law because he thought it expedient to do so in the particular case, is one of the elements in the offence which his Excellency in Council consider Mr. Cowan to have committed.

16. There are, however, other matters in connection with Mr. Cowan's conduct which it is impossible to pass over, and which have been in part brought to his Excellency's notice at a very late stage in the proceedings. The followings references to the documents on record will set this in a clear light.

17. On the 16th January Mr. Cowan telegraphed to the Panjab Government for leave to execute four men in a summary manner.

18. On the same day Mr. Forsyth wrote Mr. Cowan a demi-official note, which has been lost, in which Mr. Forsyth directed Mr. Cowan to send the prisoners to Sherpur, to be kept until Mr. Forsyth could send a guard to take charge of them. Mr.

Forsyth believes that his letter said that the guard was to take them into Ludhiana for trial. Mr. Cowan believes that trial was not referred to. Be this as it may, the letter reached Mr. Cowan some hours before any of the executions took place. He says, "I put the note in my pocket, and thought no more about it. It contained only a suggestio, which could not be acted on, for the captured Kukas were then close to Kotla on their way in." This conduct would imply that, in Mr. Cowan's opinion, the main point of the note was that the men should be sent to Sherpur; whereas it should have been also apparent to Mr. Cowan that Mr. Forsyth desired that the men should be kept in custody.

19. The executions, therefore, cannot be reconciled with the spirit of Mr. Forsyth's instruction, and took place before any reply had been received to a telegraphic message sent by Mr. Cowan the day before to the Panjab Government for leave to execute four men only.

20. Before the executions were finished and whilst six or seven men were tied to the guns, Mr. Cowan received an official letter containing a positive order from Mr. Forsyth to proceed according to law. Mr. Forsyth's words were, "I request that you will prepare at once the case against such as appear to you to be deserving of capital punishment, and I shall then give immediate orders. But with reference to your expressed desire for promptitude, the case is not sufficiently urgent to justify the abandonment of the very simple form of procedure we have at hand." Upon this Mr. Cowan says, "After reading Mr. Forsyth's letter, I handed it to Colonel Perkins, District Superintendent of Police, with the remark that it would be impossible to stay the execution of the men already tied to guns, that such a proceeding would have the worst effect on the people around us."

21. His Excellency in Council cannot see that there could have been any serious difficulty in staying the execution without even communicating the reasons for doing so to the bystanders. It was Mr. Cowan's clear duty to obey Mr. Forsyth's order, in a case in which the lives of six or seven persons were at stake, and where the act forbidden was upon the face of it illegal.

22. While the Governor General in Council recognises that the lives of all the criminals involved in the recent outbreak in the Punjab were in principle forfeited to the laws, his Excellency is under the painful necessity of affirming that the course followed by Mr. Cowan was illegal, that it was not palliated by any public necessity, and that it was characterised by incidents which gave it a complexion of barbarity. That course was commenced in opposition to the spirit of instructions received from superior authority, and in the absence of sanction, invoked but not awaited; it was prosecuted to completion in contravention of positive orders.

23. Under all these circumstances, his Excellency in Council is compelled to direct that Mr. Cowan be removed from the service. He does so with deep regret, as Mr. Cowan's previous character and conduct have been unexceptionable, and as he acted with promptitude in concerting measures for the repression of the movement.

25. In confirming this sentence, and in ordering the immediate execution of the prisoners, Mr. Forsyth was acting in a political rather than in a judicial capacity. It is the duty of officers so situated to be specially on their guard against permitting the native states which are under their superintendence to act with a degree of harshness or precipitation alien to the spirit of English rule; and although Mr. Forsyth's proceedings were no doubt legal, that fact alone ought not to protect him from censure, if his proceedings showed a want of that merciful discrimination

which ought in all cases to be characteristic of the British administration of justice. In this Mr. Forsyth seems, to his Excellency in Council, to have failed, and the failure was apparently due to his having permitted a not unnatural desire to support a subordinate, to assume undue prominence in his mind in a case where interests of far greater importance were concerned.

26. On the morning of January 17th, Mr. Forsyth had telegraphed to the Panjab Government, as follows :—

“Referring to Cowan’s telegram, asking permission to execute at once four men. Since then we have got 70 men. I am on the spot, and can dispose of the cases according to form, and without delay. Exceptional action not necessary, and would increase excitement better allayed, & c. & c.”

27. On the night of the 16th, he wrote a demi-official letter, which reached Mr. Cowan before the execution. On the 17th he wrote two separate letters, one official and one demi-official; the first directing Mr. Cowan, and the second requesting him in the most pressing, though in most friendly terms, not to proceed illegally. On the 18th, having received the report of the executions, he gave an unqualified confirmation of all that Mr. Cowan had done, in the following terms: “My dear Cowan, I fully approve and confirm all you have done. You have acted admirably. I am coming out.” Mr. Forsyth thus anticipated, without necessity, the opinions of the Lieutenant Governor and the Government of India, committed superior authorities as far as he could to sentiments which might be repugnant to their judgement, and directly reversed his own distinct resolution formed at Malerkotla authorities, and ordered the immediate execution of the 16 men condemned by them, a course which was not warranted by the necessity of making a further example, or by the character of the parties concerned, among whom various shades of guilt

might, by a less cursory inquiry, have been discovered;

28. In Mr. Forsyth's explanation of the course taken by him, he says in his letter of the 8th April 1872 :—

"I take this opportunity to make some remarks explanatory of the sentence carried into execution against the 16 men on the 18th January.

"When the case was submitted for my orders, I had to consider it in its judicial aspect, as well as from a political point of view.

{Now, taking the judicial view of the case as it stood by itself, quite apart from all other considerations, 16 men belonging to a gang who had committed a double series of murders, were pronounced to be guilty of the charge preferred against them. The sentence for their crime was death; and, had the case been tried in the courts governed by our codes, it would have been incumbent on me to show very good cause why that sentence should be mitigated. Had the case, then, been a solitary one, there would have been no more ground for hesitating to confirm a sentence of death passed on 16 men, than there would have been last year for the Chief Court to hesitate to pass sentence on 12 men for the murder of the butchers.

"I had, however, to consider all the surrounding circumstances, and the first one which would naturally influence me, was the fact, that so many men had already suffered for the same offence. But there were counterbalancing arguments which I now propose to reproduce.

"One consideration was, that if the case admitted of it, Mr. Cowan ought to be supported. However much I might have deprecated his proposed action, and inwardly deplored it when as yet not taken, still when once done I felt myself placed in an

entirely different, and, it will be readily conceded, in a most difficult position. To hastily disavow his proceedings, and to cancel his acts at such a moment, I considered would be most unwise."

He adds, in subsequent paragraphs, that he had had a conversation with Ram Singh which gave him a strong impression of serious character of the outbreak; that whilst the sentence was awaiting sanction, he heard a report of Kuka bands being in the neighbourhood; and that the Sardar of Malodh pressed him to pass sentence of death. The prominent feeling in his mind, however, seems to have been that Mr. Cowan ought to be supported in an act which Mr. Forsyth himself had repeatedly forbidden.

29. In conformity with the views enunciated above, his Excellency in Council is of opinion that, while Mr. Forsyth is undoubtedly guiltless of an illegal action, he has in no small degree identified himself with the errors committed by Mr. Cowan; that he failed to discern his duty as counsellor to a native government in a serious emergency; and that he acted eventually in a manner inconsistent with the recognised policy of the Government of India.

30. His Excellency in Council considers that Mr. Forsyth's conduct will be adequately dealt with by his removal from the Commissionership of Umballa to a position in another province in which he will not have to superintend the judicial proceeding of any native state, and by an expression of the opinion of the Government of India that he ought not in future be placed in a position in which he would be called upon to exercise similar control and superintendence.

31. The Governor General in Council is constrained to notice, with regret, that two documents essential to the information of

the Supreme Government in this case were not brought to his knowledge in regular course, and at the commencement of this correspondence, viz., the demi-official letter written by Mr. Forsyth to Mr. Cowan on the 16th January, since mislaid, and the letter addressed by Mr. Forsyth to Mr. Cowan on the 18th, confirming his proceedings.

32. It is with great concern that his Excellency in Council feels compelled to pass orders which affect so seriously officers whose fault has not doubt been due mainly to over-zeal for the maintenance of peace and order, but he considers it absolutely necessary to cause it to be understood that, whilst every officer will be fully supported in any measures, however rigorous, which he may be justified by law in adopting for the maintenance or restoration of the peace, no one will be permitted to supersede the law at his own discretion. The line between the two things is broad and clear, and the Governor General in Council would be equally prompt to notice any remissness in the use of the means sanctioned by law for suppressing crime and bringing criminals to justice. He has no fear that the course which it has been necessary to take with regard to the present case will deter other officers from a becoming energy and promptitude in the presence of danger. On the other hand, his Excellency in Council fears as little that the course now taken will be misunderstood by the native population. He trusts that this example will teach them that under British rule all alike must obey the law, and they may be well assured that the punishment now inflicted on a British officer who has broken the law, is not in any way connected with indifference or indulgence to the crimes of those whom he punished unlawfully. Their offence was deserving of exemplary punishment, though it should have been inflicted in a proper manner, with greater moderation, and with more discrimination, between the degrees of guilt of the persons concerned. And, lastly, his Excellency trusts the

present decision will make it clear to all classes that such proceedings as Mr. Cowan's are forbidden by law, and are bad in policy, because they leave no time for moderation and discrimination, and so take away the distinction between the deliberate satisfaction of the requirements of justice, and a hasty acceptance of the suggestions of excitement and alarm.

33. In communicating this review of the conduct of the Commissioner and the Deputy Commissioner, the Governor General in Council considers it due to his Honor the Lieutenant Governor to refer to the sentiments enunciated by his Honour in connection with those which his Excellency in Council has felt bound to record. The Lieutenant Governor, from the first, embraced and expressed the opinion that the conduct of Mr. Cowan was unjustifiable in regard to the precipitation, illegality, and indiscriminate rigour of his proceedings. A consideration of the exciting circumstances under which Mr. Cowan acted, of the political danger which he apprehended, and of the necessity of supporting officers of Government in acts even of excessive severity when done in good faith, and for the public interest, induced the Lieutenant Governor to withhold an expression of blame which would have been otherwise in accordance with his sentiments, and of which the Governor General in Council would have approved. His Excellency is, however, happy to be able to recognise that there is no essential difference between the views entertained by the Governor General in Council and those of the high officer entrusted with the administration and security of a province so important as the Punjab.

(Government of India, Financial Department –No. 151A, of 1872).

To His Grace the Duke of Argyll, K.T., Her Majesty's Secretary of State for India.

Mr Lord Duke, Fort William, 3 May 1872.

By our Judicial Despatch, No. 28, of the 2nd instant, in the Home Department, your Grace will learn that we have considered it necessary to mark our condemnation of the conduct of Mr. L. Cowan, late Officiating Deputy Commissioner of Ludhiana, by removing him altogether from the service of Government.

2. The reasons for our action are fully set forth in the Home Office Despatch above quoted. We now venture to recommend to you Grace's merciful consideration Mr. Cowan's claim to a moderate pension.

3. Mr. Cowan is an uncovenanted servant. who, through a long service of 23 years, had raised himself, by meritorious and faithful conduct, to the responsible office of Deputy Commissioner, and had been for some time entrusted with the charge of the Ludhiana District, which contained the head quarters of the Kuka sect. The selection of Mr. Cowan for the charge of a district which contained peculiar elements of disaffection and danger is a proof of the esteem in which his character as a public officer stood, and his acts in the early part of last year in connection with the murders perpetrated by the Kukas at Raikot, fully justified the confidence placed in him. that he failed in the present instance we cannot but attribute in a great measure to the grave apprehensions which the proceedings of this sect, somewhat perhaps exaggerated by his close observations of them, had excited in his mind.

4. There can be no doubt that Mr. Cowan acted sincerely and zealously in accordance with what he erroneously believed to be the urgent demands of public duty. It is deeply to be lamented that he did not possess that firmness and calmness of temperament which enables a public servant to behave at once with energy and reflection in a serious danger. Mr. Cowan

errored, but his errors is not, in our opinion, to be confounded with those deliberate infractions of duty which are commonly visited with the severest penalties. In this case there was no offence against the rules of morality or rectitude; it was the misfortune of Mr. Cowan to be confronted with an emergency which his character did not enable him to meet with success. Nothing short of the removal of Mr. Cowan from the service would adequately mark the reprobation which this Government entertains for the acts into which he was betrayed, but we have prescribed this severe measure of punishment with regret; we cannot withhold some measure of sympathy for the offender, and we should be sorry to see a sentence of absolute ruin added to the humiliation and loss which he must inevitably experience. We therefore earnestly solicit the assent of your Grace to the proposal which we now submit, viz., that as a special case Mr. Cowan be allowed a pension of 300 rupees per mensem, with effect from the date of his dismissal.

We have, & c.

(signed) Napier,

Napier of Magdala.

John Strachey.

R. Temple. H.W. Norman.

(Judicial, No. 32.)

From Secretary of State for India in Council to the
Government of India

My Lord, India Office, 18 July 1872.

The Despatch of your Excellency's predecessor in Council, dated 2nd May, No. 28, of 1872, relative to the Kuka disturbances, has been most carefully considered by me in

Council.

2. In that Despatch, Lord Napier in Council stated that, after a full consideration of all the circumstances connected with the outbreak and its suppression, he had felt it his duty to dismiss Mr. Cowan from the service of Government, and to remove Mr. Forsyth to another appointment in Oude.

3. I have to express to you my concurrence in the principles laid down by the Government of India as applicable to this most painful case, and my entire approval of the dismissal of Mr. Cowan from the public service, and likewise of the orders which you have issued in respect to Mr. Forsyth.

4. In consideration of his previous services, I approve of the grant to Mr. Cowan of a pension of 300 rupees per mensem, as proposed in the Financial Despatch of Lord Napier in Council, dated 3rd May, No. 151A, of 1872.

I have, & c.

(signed) Argyll.



Dedicated to
Sant Kharak Singh Bhamra
Born in Moron Punjab India
Date of birth 1926



Research Scholar
NIRMAL SINGH MAHI
(MUKANDPURI)

